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CHAPTERS IN THE ADMINISTRATIVE HISTORY OF MEDIAEVAL ENGLAND

THE WARDROBE, THE CHAMBER AND THE SMALL SEALS

BY

T. F. TOUT, M.A., F.B.A.

Professor of History and Director of Advanced Study in History

VOLUME I

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PREFACE

THIS book is called vaguely *Chapters in the Administrative History of Mediaeval England*, because no narrower title seems to cover the ground which I have attempted to traverse. Ten years ago, when I began this work, my starting-point was the more limited one suggested by the sub-title, *The Wardrobe, the Chamber and the Small Seals*. My special quest was to show two things: first, how the primitive system of court administration survived the development from it of well-organised offices of state, such as the exchequer and the chancery, and, secondly, how consequentially the king's chamber and wardrobe continued to exercise a concurrent authority, side by side with the institutions which in separating themselves from the court had become national and public rather than domestic and curialistic in their scope. But I soon found that our mediaeval administrative history had been so little worked at, that it was necessary that I should myself investigate the field as a whole before I could profitably confine myself to the special object I had in view. For this widened field prolonged study was necessary, and the period of incubation was further lengthened by illness, other occupations, and above all by the distractions of the great war. Even now I am only able to offer the first part of the results of my studies in the present two volumes. But I have already in hand the greater part of the material for the two other volumes, in which it is proposed to carry on the subject to the revolution of 1399. I hope that, within a couple of years at the most, this final instalment will be completed. What ground the present volumes

aim at covering, and in what ways they will be supplemented by the further two volumes that are still to come, are set forth later in the introductory chapter, and there is, therefore, no present need to explain the matter further. I must add, however, that there remains in the concluding volumes so much to be said on many of the subjects here treated that any provisional index for the present instalment would necessarily be very incomplete. The work of indexing has, therefore, been postponed until the book can be indexed as a whole. The detailed table of contents prefixed to each volume will in the interim show to the reader the general scope of the book.

Any attempt to break up new ground on an extensive scale must necessarily be provisional in its character, and there are few parts of the book on which I can hope to claim to have spoken the last word. I shall be contented if it be found that I have been working generally on right lines, and if I have suggested a number of possible subjects for further investigation. It is only by co-operation extending over many years that the great subject of the administration of the English State in the Middle Ages can be adequately treated as a whole.

In conclusion, I must express my hearty thanks to a large number of colleagues, pupils, friends and fellow-workers to whom I am very largely indebted. If I have not set forth their names here I am none the less grateful to them. I have, however, endeavoured always to mention in the appropriate place in the foot-notes those to whose assistance I have owed most in dealing with various aspects of my theme. I must also recognise my debt to Professor Tait and Professor Unwin, who have been good enough to read a large portion of my proofs. Moreover, I wish to record my special thanks to Sir Henry C. Maxwell Lyte, the Deputy Keeper of the Public Records, for allowing me access to the documents under his charge during the year 1918, when they were removed from the danger of enemy aircraft to

a temporary hiding-place in the far west. Without this privilege, the publication of this book would have been still further delayed. Nor can I forbear to express my special gratitude to friends on the staff of the Public Record Office for the never-failing kindness with which they have guided my researches, verified my references and put at my disposal the ripe fruits of their experience. In this relation I must specially mention Mr. C. G. Crump and Mr. C. Johnson. I also owe a particular obligation to Mr. A. St. J. Story-Maskelyne for the immense pains he took to lighten my labours when I was working among the records during the time of their location in their sometime western home.

T. F. TOUT.

MANCHESTER, *December* 1919.

LIST OF ABBREVIATIONS OF TITLES OF BOOKS AND MANUSCRIPTS FREQUENTLY REFERRED TO IN VOLUMES I. AND II.

A.C. . . .	Ancient Correspondence preserved in the Chancery and Exchequer (P.R.O.).
A.H.R. . . .	American Historical Review.
Ad. Ch. . . .	Additional Charters in the British Museum.
Ad. MSS. . . .	Additional Manuscripts in the British Museum.
Ann. Dunst. . .	Annales Prioratus de Dunstaplia in Annales Monastici, vol. iii. Ed. Luard. Rolls Series.
Ann. London. . .	Annales Londonienses in Stubbs, Chronicles of the Reigns of Edward I. and Edward II., vol. i. R.S.
Ann. Osney . .	Annales Monasterii de Oseneia in Annales Monastici, vol. iv., as above.
Ann. Paul. . .	Annales Paulini in Chronicles of Edward I. and Edward II., vol ii., as above.
Ann. Waverley . .	Annales Monasterii de Waverleia in Annales Monastici, vol. ii., as above.
Ann. Winch. . .	Annales Monasterii de Wintonia in Annales Monastici, vol. ii., as above.
Ann. Worc. . .	Annales Prioratus de Wigornia in Annales Monastici, vol. iv., as above.
Archaeologia . .	Archaeologia, or Miscellaneous Tracts relating to Antiquity. Published by the Society of Antiquaries of London.
B.B.E. . . .	Black Book of the Exchequer, or Liber Niger Scaccarii. Ed. T. Hearne. 2 vols. 2nd ed. 1774.
Baldwin . . .	J. F. Baldwin's King's Council in the Middle Ages. 1913.
Bémont or Bémont's *Chartes*	Chartes des libertés anglaises, publiées par Charles Bémont. 1892.
Birch or Birch. *Seals in B.M.*	W. de G. Birch. Catalogue of Seals in the Department of Manuscripts in the British Museum. 6 vols. 1887–1900.
Brantingham's *I.R., 44 Edw. III.*	Issue Roll of Thomas of Brantingham, Treasurer of England, for the 44th year of Edward III. Edited by Frederick Devon. 1835. (Often referred to as "Pell Records. Edward III.")
Bresslau . . .	H. Bresslau. Urkundenlehre für Deutschland und Italien. 1889. 1er Band.

Bridlington	Gesta Edwardi de Carnarvan, Auctore Canonico Bridlingtoniensi, in Stubbs, Chron. Edw. I. and Edw. II., vol. ii. 1889.
Brown	Cheshire Chamberlains' Accounts, 1301–1360. Ed. R. Stewart Brown. Record Soc. for Lancashire and Cheshire. 1910.
C.C.R.	Calendar of Close Rolls.
C. Ch. R.	Calendar of Charter Rolls.
C. Chanc. R., Various	Calendar of Chancery Rolls, Various. 1277–1326.
C.F.R.	Calendar of Fine Rolls.
C. Inq. Misc.	Calendar of Inquisitions, Miscellaneous. 2 vols.
C. Lib. R.	Calendar of Liberate Rolls.
C.M.	Matthaei Parisiensis Chronica Majora. Ed. Luard. R.S.
C. Pap. Reg. Let.	Calendar of Papal Registers. Letters.
C.P.R.	Calendar of Patent Rolls.
C.R.[1]	Close Rolls in P.R.O.
C. W.	Chancery Warrants in P.R.O.
C. and Y. Soc.	Publications of the Canterbury and York Society for the Publication of Episcopal Registers.
Ch. R.[2]	Charter Rolls in P.R.O.
Cal. Inq.	Calendar of Inquisitions Post Mortem and other Analogous Documents.
Cal. Let. Books, London	Calendar of Letter Books of the City of London. Edited by R. R. Sharpe. (The published volumes are numbered A to K.) 1899–1911.
Chanc. Misc.	Chancery Miscellanea in P.R.O.
Cole, or Cole's *Records*	Documents Illustrative of English History in the Thirteenth and Fourteenth Centuries, from the Records of the Exchequer. Edited by H. Cole. Record Com. Folio. 1844.
Cont. Flor. Wig.	Continuatio Chronici Florentii Wigornensis. Published in vol. ii. of the English Historical Society's edition of Florence of Worcester. Ed. B. Thorpe. 1849.
Cont. Trivet	Only published in the edition of Trivet's Annals edited by A. Hall. Oxford. 1723.
Conway Davies	J. Conway Davies. The Baronial Opposition to Edward II. 1919.
Cotton	Bartholomaei de Cotton Historia Anglicana. Ed. Luard. R.S. 1859.
D.N.B.	Dictionary of National Biography Edited by Leslie Stephen and Sidney Lee.
Davis, *Regesta*	Regesta Regum Anglo-Normannorum, vol. i., 1066–1100. Ed. H. W. C. Davis. 1913.
Devon	F. Devon. Issues of the Exchequer. Henry III. to Henry VI. 1837. (Often referred to as Pell Records.) See also Brantingham's I.R.

[1] When a number and membrane are given (*e.g.* C.R. No. 20, m. 2), the reference is to the original roll; when dates and pages are given, the reference is to the volume of printed rolls (*e.g.* C.R., 1242–1247, p. 40).

[2] All these are references to the original rolls in the P.R.O. The printed rolls of John are cited as Rot. Ch.

Delisle, *Recueil*	L. Delisle. Recueil des actes de Henri II concernant la France. 1909, etc.
Déprez	E. Déprez. Études de diplomatique anglaise. Le sceau privé, le sceau secret, le signet. 1908.
Dialogus or *Oxford Dialogus*	Dialogus de Scaccario. Ed. A. Hughes, C. G. Crump and C. Johnson.[1] Oxford. 1902.
Ducange or Ducange, *Glossarium*	Ducange's Glossarium mediae et infimae Latinitatis. Ed. Firmin Didot. 1840–1846. 6 vols.
E.H.R.	English Historical Review.
Ex. e Rot. Fin.	Excerpta e Rotulis Finium Henrico III. rege. Ed. C. Roberts. 2 vols. Record Com. 8vo. 1835–1836.
Enr. Accts. (*W. and H.*)	Enrolled Accounts (Wardrobe and Household) in P.R.O.
Exch. Accts.	Exchequer Accounts in P.R.O.
Exch. of Rec. Warrants for Issue	Exchequer of Receipt. Warrants for Issue in P.R.O.
Eyton	R. W. Eyton. Court, Household and Itinerary of Henry II. 1878.
Fleta	Fleta seu Commentarius Juris Anglicani. Ed. Selden. 1685.
Foedera	T. Rymer. Foedera. Ed. Record Commission. Fol.
For. Acc.	Foreign Accounts in P.R.O.
Foss	E. Foss. The Judges of England, vols. i. ii. and iii. 1848, etc.
Flores Hist.	Flores Historiarum. Ed. Luard. 3 vols. R.S. The references to "Robert of Reading" in vol. iii. are generally given under this heading. For Roger Wendover's Flores Historiarum see Wendover.
Giry	A. Giry. Manuel de diplomatique. 1894.
Harcourt	L. W. Vernon Harcourt. His Grace the Steward and Trial by Peers. 1907.
Harl. Ch.	Harleian Charters in British Museum.
Haskins	C. H. Haskins. Norman Institutions. Harvard Studies in History, vol. xxiv. 1918.
Hemingburgh	Chronicon domini Walteri de Hemingburgh. Ed. H. C. Hamilton. 2 vols. Eng. Hist. Soc. 1844–1849.
Hist. MSS. Com.	Reports of the Historical Manuscripts Commission.
I.R.	Issue Rolls of the Exchequer in P.R.O.[2]
Jenkinson	Hilary Jenkinson on "Exchequer Tallies" in Archaeologia, vol. lxii. pp. 367-380. 1911.
Jones	Flintshire Ministers' Accounts, 1301–1328. Ed. Arthur Jones. Flintshire Historical Society. 1913.
K.R.	King's Remembrancer.

[1] The usual references are to the book and chapters, sometimes the page reference to this edition is also given.

[2] The references are to the new numberings, but for convenience the reference to the regnal year and term is generally added.

L.F.C.	Lord Frederick Campbell's Charters, or Campbell Charters, in British Museum.
L.Q.G.	Liber Quotidianus Contrarotulatoris Garderobae anno regni regis Edwardi primi vicesimo octavo. London Society of Antiquaries. 1787.
L.T.R.	Lord Treasurer's Remembrancer.
Lanercost	Chronicon de Lanercost. Ed. Stevenson. Maitland Club. 1839.
Larson	L. M. Larson. The King's Household in England before the Norman Conquest. Bulletin of the University of Wisconsin. Hist. Series, vol. i. no. 2. 1904.
Lib. de Ant. Leg.	Liber de Antiquis Legibus seu Chronica Majorum et Vicecomitum Londoniarum. Ed. T. Stapleton. Camden Soc. 1846.
Liber Cust.	Liber Custumarum in Munimenta Gildhallae Londinensis, vol. ii. Ed. H. T. Riley. R.S. 1860.
Lib. R.	Rotuli de Liberate in P.R.O.
M.R., L.T.R	Memoranda Rolls of the Lord Treasurer's Remembrancer in P.R.O.
M.R., K.R.	Memoranda Rolls of the King's Remembrancer in P.R.O.
M.U.P.	Manchester University Press.
MSS. Ad.	Additional Manuscripts in the British Museum.
MSS. Cotton	Cotton Manuscripts in the British Museum.
MSS. Harl.	Harleian Manuscripts in the British Museum.
MSS. Stowe	Stowe Manuscripts in the British Museum.
MSS. Rylands, Latin	Latin Manuscripts in the John Rylands Library, Manchester.
MSS. Tanner	Tanner Manuscripts in the Bodleian Library.
Madox	T. Madox's History of the Exchequer. 2 vols. 1769.
Malmesbury	Monachi cujusdam Malmesburiensis Vita Edwardi Secundi in Stubbs, Chron. Edw. I. and Edw. II., vol. ii. R.S.
Mat. Par. or Mat. Par. *C.M.*	Matthaei Parisiensis Chronica Majora. Ed. Luard. R.S.
Mem. de Parl.	Memoranda de Parliamento (1305). Ed. F. W. Maitland. R.S. 1893.
Memoranda Rolls	See *M.R.* above.
Misc. Books of Exch., T. of R. or *T.R.*	Miscellaneous Books of the Exchequer, Treasury of Receipt in P.R.O.
Misc. Books of Exch. K.R.	Miscellaneous Books of the Exchequer, King's Remembrancer in P.R.O.
Misc. Enr. Accts. Exch. or *Misc. Enr. Accts.*	Miscellaneous Enrolled Accounts of the Exchequer in Public Record Office.
Monasticon	W. Dugdale. Monasticon Anglicanum. Ed. Caley, Ellis and Bandinel. 6 vols. Vol. vi. in three parts. 1846.
Morel	O. Morel. La Grande Chancellerie royale et l'expédition des lettres royaux, 1328–1400. Mémoires et documents publiés par la Société de l'École des Chartes. 1900.
Morris	J. E. Morris. The Welsh Wars of Edward I. 1901.

Ord. Vit.	Ordericus Vitalis. Historia Ecclesiastica. Ed. Le Prevost. Soc. de l'Histoire de France. 1838–1855.
Ordonnances	Ordonnances des rois de France de la troisième race. 1723, etc.
Ox. H. Soc.	Publications of the Oxford Historical Society.
Oxenedes	Chronica Johannis de Oxenedes. Ed. H. Ellis. R.S. 1859.
P.R.[1]	Patent Rolls.
P.R.O.	Public Record Office.
Parl. Writs	Parliamentary Writs and Writs of Military Summons of Edward I. and Edward II. Ed. Sir Francis Palgrave. 2 vols. in 4 Record Com. Fol. 1827–1834.
Peck. Lett. or *Peckham's Letters*	Registrum Epistolarum fratris Johannis de Peckham. Ed. C. Trice Martin. 3 vols. R.S. 1882–1885.
Perkins	Clarence Perkins. The Wealth of the Templars in England and the Disposition of it, in A.H.R. xv. 252-263. 1910.
Pipe[2]	Pipe Rolls in P.R.O.
Pl. Edw. II.	T. F. Tout. Place of the Reign of Edward II. in English History. 1914.
Plac. Abbrev.	Placitorum Abbreviatio. Record Com. Fol. 1811.
Poole	R. L. Poole. The Exchequer in the Twelfth Century. 1912.
Prynne	W. Prynne. The History of King John, King Henry III. and King Edward I. etc. 1670. Briefly cited as Prynne's Records.
R.B.E.	Red Book of the Exchequer. Ed. Hubert Hall. 3 vols. R.S. 1896.
R.G. or *Rôles Gascons*	Rôles Gascons. Ed. Michel and Bémont. 3 vols. 1885–1906. Documents inédits sur l'histoire de France.
R.R.[3]	Receipt Rolls of the Exchequer in P.R.O.
R.S.	Rolls Series of Chronicles and Memorials.
Recueil	L. Delisle. Recueil des actes de Henri II concernant la France. 1909, etc.
Regesta	H. W. C. Davis. Regesta Regum Anglo-Normannorum, vol. i., 1066–1100. 1913.
Rhodes	W. E. Rhodes. The Italian Bankers in England and their Loans to Edward I. and II., in Manchester University Historical Essays. 1907.
Rot. Ch. or *Rot. Chart.*	Rotuli Chartarum regnante Johanne. Record Com. Fol. 1837.
Rot. Lit. Claus.	Rotuli Literarum Clausarum. 2 vols., 1204–1227. Record Com. Fol. 1833–1844.
Rot. Lit. Pat.	Rotuli Literarum Patentium, 1201–1216. Record Com. Fol. 1835.

[1] See note 1 on Close Rolls, p. xi, above.

[2] When the name is followed by the regnal year, and an indication to the page, reference is made to the published volumes of Pipe Rolls, whether those of the Record Commission or those of the Pipe Roll Society. When the name is followed by the regnal year, a number and a reference to the membrane, the quotation is from the original rolls in the P.R.O.

[3] See note 2 to Issue Rolls, p. xi, above.

Rot. Parl. . . .	Rotuli Parliamentorum, vol. i., 1278–1325. Fol. 1767.
Recognitiones Feodorum	Recueil d'actes relatifs à l'administration des rois d'Angleterre en Guyenne (Recognitiones Feodorum in Aquitania). Ed. Ch. Bémont. 1914. (Documents inédits sur l'histoire de France.)
Round, *C.D.F.* . .	Calendar of Documents preserved in France, 918–1206. Ed. J. H. Round. 1899.
R. Hist. Soc. Trans. .	Transactions of the Royal Historical Society.
Royal Letters . .	Royal Letters of Henry III. Ed. W. W. Shirley. 2 vols. R.S. 1862–1866.
S.H.R. . . .	Scottish Historical Review.
Stevenson, *H.D.S.* .	J. Stevenson. Documents illustrative of the History of Scotland. 1286–1306. 2 vols. 1870.
Stubbs, *C.H.* . .	W. Stubbs. The Constitutional History of England. 3 vols. Vol. i. (5th ed.), 1891; vol. ii. (3rd ed.), 1887; vol. iii. (4th ed.), 1890.
T.R. or *T. of R.* .	Treasury of Receipt.
Trans. R.H.S. . .	Transactions of the Royal Historical Society.
Trokelowe . . .	Johannis de Trokelowe et Henrici de Blaneforde Annales in Chronica Monasterii Sancti Albani. Ed. H. T. Riley. R.S. 1866.
V.C.H. . . .	Victoria County Histories.
Viollet . . .	P. Viollet. Histoire des Institutions politiques et administratives de la France. 3 vols. 1890–1903.
Waitz, *D.V.G.* . .	G. Waitz. Deutsche Verfassungsgeschichte. 1860, etc.
Wendover . . .	Roger of Wendover. Flores Historiarum. Eng. Hist. Soc. 5 vols. 1841–1844.
Whitwell . . .	R. J. Whitwell. Italian Bankers and the English Crown, in Transactions of the Royal Historical Society. N.S. xvii. 1903.
Worc. H. Soc. . .	Worcestershire Historical Society.
Y.B.	Year Books of Edward II. Edited by Maitland, Turner and Bolland for Selden Society.

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INTRODUCTORY

SECTION I

ERRATA

Page 145, n. 1 (last line), *for* "*Hart. Ch.* 43, C. 39" *read* "*Harl. Ch.* 43, C. 39."
,, 244, n. 2 (line 5), *for* "Wendover, ii. 454 (R.S.)" *read* "*Flores Hist.*, ii. 454 (R.S.)."
,, 257, n. 5 (line 4), *for* "*Preussen*" *read* "*Preussen*-."
,, 268, n. 1 (line 2), *for* "London," *read* "London.,"
,, 274, n. 2 (line 4), *for* "London," *read* "London.,"
,, 314, n. 2 (line 3), *for* "*C. Ing. Misc.*" *read* "*C. Inq. Misc.*"

sibility of printed material until quite recent times. A good deal of our incuriousness seems also to arise from our profound conviction that some aspects of our history are more important than others, and from our practical tendency to measure that importance by the light which past history throws on present conditions. We are still rightly proud of the English constitution, of the continuity between our modern democratic institutions and our parliamentary institutions of the middle ages, and of the way in which in modern times the English parliamentary system has suggested the form of free institutions to nearly every civilised nation. Accordingly, those interested in the history of institutions have thrown their main strength into the investigation of the parliamentary constitution and all that led up to it. We have our parliamentary constitution still and

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CHAPTER I

INTRODUCTORY

SECTION I

The Neglect of Administrative History

The object of the present work is to offer some contributions towards the almost unwritten story of English administration in the thirteenth and fourteenth centuries. The subject is a vast one, and materials for its study still survive in extraordinary abundance. Yet no aspect of our mediaeval history has attracted less attention, and in no country has the importance of administrative history been so little recognised. There is no reason for entering with any detail into the causes of this neglect. Some of it is doubtless owing to our absorption in narrative history of the old-fashioned sort. Part is also due to the inaccessibility of printed material until quite recent times. A good deal of our incuriousness seems also to arise from our profound conviction that some aspects of our history are more important than others, and from our practical tendency to measure that importance by the light which past history throws on present conditions. We are still rightly proud of the English constitution, of the continuity between our modern democratic institutions and our parliamentary institutions of the middle ages, and of the way in which in modern times the English parliamentary system has suggested the form of free institutions to nearly every civilised nation. Accordingly, those interested in the history of institutions have thrown their main strength into the investigation of the parliamentary constitution and all that led up to it. We have our parliamentary constitution still and

it, therefore, seems practical and important to find out what we can about it. It is idle, it is argued, to examine institutions and offices whose vitality has long been extinct. We are no longer in danger of a despotism, and there is therefore little use in ascertaining how the despots of the past managed to govern the country. As a result, our natural absorption in the present has led us to study the past with minds too much set on present presuppositions. We seek in the middle ages what seems important to ourselves, not what was important to them. Given such a point of view, there is little wonder that few English scholars have troubled themselves to describe the minute workings of the machinery of the executive government during the later middle ages.

Administrative history only becomes possible when an organised administrative system has been established. In English history such an administrative system begins in the days of the later Norman kings and finds its first full development in the reign of Henry II. We are fortunate in having in Stubbs's famous studies of the administrative system of Henry I. and Henry II. a model of how such investigations should be made. Yet Stubbs never attempted to do for the thirteenth and fourteenth centuries what he accomplished in so remarkable a fashion for the twelfth. Readers of his great work cannot but be conscious of a silent change in its plan when, at the beginning of the second volume, he took up his task anew from the grant of *Magna Carta*. The reason for this is not far to seek. Stubbs's main interest was in the origins of our modern constitution and, in particular, in the origins of our parliamentary institutions. To him the Angevin administrative system was important, not so much in itself, as because he regarded it as the source of the parliamentary organisation of later times. Stubbs studied sheriffs and justices, juries and inquests, the exchequer and the *curia regis*, because he recognised in the routine, fashioned at the will of a despot, the beginnings of our representative institutions, the House of Commons, and the constitutional monarchy of a later age. When, in the course of the thirteenth century, representative parliaments of the "three estates" came on to the stage of history, the shire moot and the hundred moot, the juries, the sheriffs, and the rest,

ceased to be the main interest of a constitutional historian. After the death of king John, Stubbs was content to relegate administrative details to the antiquarian. Therefore, from the beginning of the reign of Henry III., he frankly limited his attention to the parliamentary constitution, and to the extent to which the parliamentary system modified the political machinery and the political history of the English state. There is no reason to regret that Stubbs thus narrowed his field. It was only through such limitation that he was able to give us what still remains the classic presentation of the whole history of our mediaeval parliamentary institutions.

It followed from Stubbs's method of treating his subject that there were aspects of the institutional and administrative history of the thirteenth and fourteenth centuries about which he tells us next to nothing. We have learnt from Stubbs that the *curia regis* and the exchequer were the two great branches of the royal administrative system under Henry II. He has told us, too, how the former was the parent in turn of the common law courts, the chancery and the permanent king's council, and how the latter vigorously administered the royal revenue, until the thirteenth century saw its financial control broken up by the institution of special machinery for the levying of parliamentary grants, and by the inclusion of much financial business within the sphere of the king's wardrobe. But Stubbs did not consider that it was part of his business to investigate the structure and working of the machinery by which the routine of government was carried on in the days of the three Edwards. We nowhere have it impressed upon us that by this time the exchequer and the chancery had become the two great departments of state. All that he tells us is perfectly sound; he knew that the exchequer still went on as the chief financial office, though he tells us nothing in detail of its task. He knew, too, that the chancery was, in Palgrave's well-known phrase, the "secretariat of state in all departments," though he has little to say as to how this mediaeval secretariat did its work. As little is he concerned about the process by which the chancery differentiated itself from the court, just as the exchequer had separated itself from the court at an earlier period.

We are taken a little further on the right road by F. W.

Maitland, the only other great master of English mediaeval lore whom we may venture to put on the same plane as the author of the *Constitutional History of England*. Maitland fully appreciated the importance of administrative history, and has suggested in masterly fashion some of the chief lines of English administrative development.[1] Maitland, however, like Stubbs, threw his main strength into other lines, and never aspired to work out our administrative system in detail. Even more than Stubbs, Maitland appreciated the importance of the office of the chancery. However, neither Maitland nor Stubbs grasped the fact that neither the exchequer nor the chancery exercised a sole jurisdiction over their respective spheres. When the royal household threw off in successive centuries its two great administrative offshoots, the exchequer and the chancery, it still continued to do the work which it had done from the beginning. But the process of differentiation had by now affected even the stock from which these two offices had sprung. The royal household on its administrative side had now split up into departments. Two of these carried on into the days of the Edwards the executive work of the older *curia regis*. These two administrative departments of the court, the king's wardrobe and the king's chamber, habitually overlapped the functions of both the chancery and the exchequer. By the fourteenth century the king's wardrobe was becoming in substance a third great department of state. As undifferentiated as the primitive *domus regis*, from which it sprang, its operations touched every branch of administration and finance. Its elasticity, its freedom from tradition and the eagerness with which it took up new functions, all helped to widen the scope of its activity.

To supplement Stubbs's great work, by setting forth in detail the history of the great administrative departments and their offshoots, seems to me the most immediate and important duty that lies before English mediaevalists. Even under modern

[1] This is notably the case in his introduction to *Memoranda de Parliamento* (1305), pp. xxxvi-xxxviii, Rolls Ser., where in a few sentences he puts clearly the position under Edward I. of both the chancery and of the exchequer, "the only other great official 'department' that there is." In the *History of English Law*, i. 172-176 (1895), is an excellent short account of the chancery, though the scope of the work necessarily tends to the stressing of its judicial side. The position of the exchequer is carefully defined in *ib.* i. 170-172, with just a shade of over-emphasis of its judicial work.

conditions, administration is more important than legislation; in the middle ages, when legislation was small in amount and largely declaratory in character, the administrative side of history bulked immensely larger. Moreover, the exclusive preoccupation of our historians with parliamentary machinery tends to throw too much stress on an institution which, important though it was, was an intermittent rather than a continuous factor in our national life. Parliamentary sessions were short, and the political conditions while they lasted must be regarded as exceptional rather than normal. On the other hand, administrative machinery was always in operation. Though the individual executive acts were often trivial, the aggregate sum of the effects obtained by administrative action was certainly far greater than that which resulted from parliamentary intervention. It is a commonplace that mediaeval laws were very badly executed. We must not altogether assign this lack of governance to the slackness and casualness of mediaeval methods. A great deal of it was due to the deliberate policy of the men who controlled the permanent machine. The standing court officers had no wish to carry out what the legislators had directed them to do. Mediaeval administrators could show plenty of perseverance in the execution of a law which they really desired to enforce. That this is the case is amply proved by the fact that an American scholar has been able to fill a solid volume with a detailed examination of the methods and machinery by which one statute of the reign of Edward III. was enforced during a single decade.[1]

The balancing of the comparative importance of the legislative and executive sides of our period is, it must be admitted, partially discounted by the notorious fact that a sharp differentiation between the various aspects of the action of the state was foreign to the mediaeval mind. It was not until the fourteenth century that even the most rudimentary distinction was made between the legislative, the executive and the judicial spheres. It was only in the same century that men began to discriminate between the king in his personal capacity, and the crown as the

[1] See for this Miss Bertha H. Putnam's excellent *Enforcement of the Statutes of Labourers, 1349–1359* ("Columbia University Studies in History, Economics and Public Law," 1908).

mainspring of the government. When our early administrative institutions arose no such fine-drawn lines had as yet been conceived. All matters of state were the business of the king, though of course the king was supposed to seek advice before action was taken. The detailed execution of the royal wishes had to be carried out by whatsoever minister, office or corporation happened to be at the moment available for the purpose. Just as the primitive *curia regis* was alike legislative, judicial, taxative, deliberative and executive, so the parliaments and councils of the thirteenth and fourteenth centuries retained enough of the original character of the institution from which they arose to make it futile for the modern historian to sort out the varying functions of the state into different categories, and label them neatly with modern labels. Even when the march of civilisation compelled statesmen to make in practice distinctions which they did not make in theory, the extraordinary fluidity of all mediaeval institutions continued. Under such circumstances it is hazardous to venture on generalisations. Nevertheless some such attempt must be made, and the scholar has at least the consolation of knowing that the more nearly his studies approach the end of the middle ages, the more fully do his modern theories fit in with the facts before him.

There are already signs that a reaction is setting in against the tradition which would make parliament the central point of English mediaeval political institutions. Sometimes it takes the form of emphasising the intensely aristocratic character of mediaeval parliaments and indicating the modest part which the commons generally took in parliamentary action. Sometimes it assumes the ridiculous shape of explaining away *Magna Carta* and of maintaining that the invention of seventeenth-century lawyers was the source of the doctrine that the charter was the foundation of English liberty. It has latterly taken more reasonable expression in the view that the English constitution is purely "feudal" in its origin, and that nothing which happened before the Norman conquest had any important share in determining its course of development.[1]

[1] This view has been ably, but not quite convincingly, upheld by Prof. G. B. Adams, of Yale, in his *The Origin of the English Constitution*. New Haven, 1912.

It may be doubted, however, whether in the present state of our knowledge, such broad generalisations carry us much further. The traditional view of constitutional development is not so much untrue as out of focus. What we now have to do is to put parliamentary institutions into their proper setting by working out in greater detail those aspects of our mediaeval system which remained almost untouched by the development of the parliamentary system. In short, the remedy for the overstressing by former historians of the importance of mediaeval parliaments is for the historians of the present to devote greater attention to the study of the machinery and daily routine of mediaeval executive government.

The vital importance of the study of mediaeval administrative institutions is well brought home by the remarkable contributions recently made by French scholars to the history of the administration of their own country. Time was when English historians might have been content to explain these away by saying that the French were compelled to study the history of administration because France had no constitutional development that merited the minute investigation which we were content to lavish on the beginnings of English liberty. But an English mediaevalist nowadays is no more likely to accept such a doctrine than he is tempted to accept the "practical" view of history once maintained by Professor Seeley. We investigate the past, not to deduce practical political lessons, but to find out what really happened. Moreover, we no longer draw the deep dividing line between French and English history in the thirteenth and fourteenth centuries that was drawn in the last generation. Our attention is rightly directed to the similarities, rather than to the dissimilarities, of English and French administrative and constitutional development during that period, and we recognise how close akin was the England of Edward I. and Edward III. to the France of Philip the Fair and Philip of Valois. It follows from this that the extraordinary difference of treatment of "constitutional" subjects by scholars of the two countries must be due not so much to the differences of the material before them, as to the difference of standpoint of the French and English investigators. The modern French historian, rather quaintly, reproaches Stubbs for his insularity,

his simple faith in liberty, his conviction of the unique character of the English constitution, and, more justly, for the invincible prejudice which made him unable to see the full value of French scholarship, and the true lessons of French mediaeval history. However overstressed some of these criticisms may be, they have at least this element of justification, that his preconceptions prevented Stubbs from recognising what very real counterparts there were in English history to the institutions which formed the strength of the greatest of continental monarchies. It is rather in the fourteenth century than in the thirteenth, that the true differentiation of French and English institutions began to be worked out. It is then that aristocratic control, entrenched within the most stable "system of estates"[1] known to the middle ages, permanently restricted the scope of the English monarchy, without depriving it of its national and representative character. It followed from the limited character of English monarchy that our administrative system, new and old, originating, as on the continent, from the domestic household of the prince, lost the narrowing influence of its curialist origin by becoming national and public. All ministers of state, in England as on the continent, began as servants of the household. But abroad, in becoming officers of the state as well as of the court, ministers remained so closely dependent on the crown that their function was, when more than curialist, merely bureaucratic. In England, the permanence of the control of the estates made the ministers of the king in a very real sense ministers, if not also of the people, at least of the spirited and vigorous aristocracy that constantly dared to speak and act in the people's name. This was as true of the keeper of the privy seal, who only became a public officer in the middle of the fourteenth century, as of the chancellor and treasurer, whose public ministerial character had

[1] I use the word "estate" with hesitation because it was not even in France employed earlier than the second half of the fourteenth century to designate the "estates" of the realm. I cannot find an earlier use of the term "trois états" in France than in 1357; *Grandes Chroniques de France*, ed. Paulin Paris, vi. 40, 41, 52. See Viollet, *Hist. des institutions pol. et admin. de la France*, iii. 177 and 185, and Aubert, *Le Parlement de Paris, 1314–1422; sa compétence, ses attributions*, ii. 194-195. In England Wyclif, *Select Works*, iii. 184, speaks of the "three estates" of priests, knights and commons; see *New English Dictionary*, s.v. estate. It remained, however, a very unusual word in England, especially in the middle ages.

been established fully a hundred years earlier. It is equally true of the king's secretaries who became the confidential ministers of the early Tudors and developed into the secretaries of state, the true successors of the mediaeval chancellors, in the course of the seventeenth century. In short the new domestic administration of the Tudors became the public administration of the constitutional kings of the succeeding periods just in the same way as the mediaeval household officers gradually blossomed into ministers of the nation. And for the mediaeval as for modern periods both kings and nobles co-operated, unconsciously no doubt, and from very different motives, in the improvement of the machinery which had in a measure to serve monarchy and aristocracy alike.

SECTION II

The Chief Organs of Mediaeval Administration

(a) *The Curia Regis and its Offshoots*

The systematic investigation of the central administration of the English monarchy in the thirteenth and fourteenth centuries would be beyond the powers of any single scholar who is not prepared to devote a long lifetime to the task. Moreover, it is unlikely that the relative proportions of the whole structure can be properly appreciated until each section of it has been examined with the detail which the extraordinary abundance of our material allows. The best practical course is, then, for different scholars to concern themselves with the study of some one aspect of the administrative machine. The most important of these were, as we have already seen, the exchequer, the chancery and the executive departments of the household. These were the chief instruments of the central executive. The administration of local government, whether royal, seigniorial or municipal, offers another wide field of almost equal importance. However, with local machinery this book will have no direct concern.

Among the administrative institutions of the mediaeval state the king's council is often included. The importance of the royal council at all stages of our history can hardly be overestimated, but in the middle ages its work seems to me to have been consultative rather than executive. It belongs to that group of institutions of which parliament was the last and greatest outcome, rather than to those which were the source of the ministerial offices. It was, of course, like all the other branches of the state service, an offshoot of the *curia regis*. Its composition and character fluctuated from time to time according to the variations in the character of the government. In some quarters it is the fashion to lay stress on its "feudal" origins, and to regard it as an assemblage of royal vassals, of magnates. But even in Norman times it was quite as much a gathering of the king's *familiares*, of his household servants, as of his chief

barons.[1] The truth is that when the monarchy was strong the council tended to become a tame but useful assembly of domestic ministers, household servants, and loyal or subservient magnates. Whenever the monarchy weakened, through the incompetence or nonage of the king, the council became more baronial in its composition, and more independent in its attitude. But whatever was its personnel, whatever the advice it gave, and whether that advice were taken or not, the executive measures necessary to carry it out were, before Tudor times at least, seldom the direct act of the council. It needed a writ of chancery, of privy seal, of the exchequer, to execute effectively any conciliar act.[2] It is therefore a confusion of ideas to carry back into the middle ages the theory of the king's council as an essentially executive body. It was only towards the very end of the middle ages that any distinctive administrative procedure followed upon a resolution of the council.

It is perhaps because the king's council is in its origin so near to parliament, and because in all its history it touches parliament so closely, that it is the mediaeval institution which, after parliament, has most attracted the attention of scholars. Though not an administrative organ, the council has always been so closely allied to the administration that it cannot be set in its true historical focus until the nature of the administrative departments has been worked out in detail. There is thus some want of finality even in the last and best of the histories of the king's council. The facts of conciliar history must be considered in their true relation to the offices whose function it was to translate its deliberations into acts. Professor Baldwin gets at the root of the matter when he recognises that the council was not a "department," but a body which had to do with all departments alike.[3] It was a court, not an office; it had no permanent staff, no seal, no records. Its history bears only indirectly on administration, and therefore need seldom be

[1] Professor Baldwin's excellent analysis of the king's council under Henry III. in his *King's Council in the Middle Ages*, chap. ii. pp. 16-37, seems to me not to emphasise sufficiently its "domestic" as opposed to its "feudal" aspect.

[2] I have followed some of the phrases used by me in a review of Professor Baldwin's book in *English Historical Review*, xxx. 117-123 (1915).

[3] Baldwin, p. 445. Unfortunately Mr. Baldwin has not throughout all his book kept this point of view before his eyes.

considered here. Yet the work of the historians of the council, notably that of Professor Baldwin, has done much to illuminate the path of the student of administrative history.

The central administration of the English state in the middle ages centred, then, round the exchequer, the chancery and the household. Of these three the household offices were, of course, the oldest, because they were the source from which the exchequer and chancery themselves sprang. But only one side of the *curia regis*, the chamber, went on continuously through the centuries, and even the chamber assumed exceedingly different forms at different periods. The process which separated off the exchequer from the chamber, and, before the end of the twelfth century, made it substantially independent of the *curia regis*, was repeated in the thirteenth and early fourteenth centuries when the chancery also went "out of court," and became a distinct and self-sufficing office of state. These two processes necessarily had considerable effects in modifying the character of the household offices themselves. It was only in the early thirteenth century that the wardrobe became a household office, separable from, though closely connected with, the chamber from which it originated. The chamber in its later form was hardly older than the reign of Edward II.; the gradual splitting up of the wardrobe into different departments took place between the latter part of the reign of Henry III. and the beginnings of the Hundred Years' War. Accordingly, while the problem of origins throws us back to the Norman period, and even to times before the conquest, the history of the chancery and the wardrobe as organised offices of administration only begins when the Angevin despotism was beginning to break up in the early thirteenth century. The exchequer, and the exchequer only, has a detailed history which takes us back to the reigns of Henry I. and Henry II. It is therefore the oldest of the English offices of state.

(*b*) *The Exchequer*

I have spoken of the general neglect by English scholars of administrative history. To that neglect, one great, though partial, exception must be made. While the chancery and the

wardrobe have not yet had their history written at all, the early history of the exchequer has been minutely examined by a long series of eminent scholars. Thomas Madox's *History of the Exchequer*, published more than two centuries ago, was an admirably solid foundation on which many subsequent scholars have built, and still fully retains its value. Madox, however, only professed to carry his history down to the reign of Edward II. He ceases to be at his best after he has entered into the section of his subject dealing with the thirteenth century. With all his wonderful industry, he could not make his way through the multitudinous and quite uncatalogued records of the thirteenth and fourteenth centuries with the same sureness that distinguished his survey of the comparatively meagre materials for the reign of Henry II. His successors have even more severely limited their field. The result is that there is probably not much fresh to be learnt as to the history of the exchequer up to the end of the twelfth century.[1] There remain, however, many fruitful fields of research still open in connection with the later activities of the exchequer. Such investigation will, however, be immensely facilitated when a larger proportion of the exchequer archives is made more accessible by calendars and summaries, such as those already in course of issue as regards the rolls of chancery. As the opening up of the exchequer records may well be expected to be undertaken, in the good days after the war, there is some temptation to postpone the minute examination of the later activities of the great board of finance until they can be more easily studied than is the case at present. The broad lines of late mediaeval finance reveal themselves with difficulty to those who perforce must study them in vast and unwieldy manuscript rolls.

This at least can be safely said as to the later history of the exchequer. During the thirteenth and fourteenth centuries it remained very much what it had been in the twelfth. Madox was for once wrong when he spoke of the "declension" of the

[1] An admirably concise conspectus of what is known about the early exchequer is contained in Mr. R. L. Poole's *Exchequer in the Twelfth Century*, 1912. The researches of Mr. J. H. Round have materially advanced our knowledge of this as of many other subjects. Much new light has also been thrown on it by Messrs. A. Hughes, C. G. Crump and C. Johnson in their elaborate edition of the *Dialogus de Scaccario* in 1902.

exchequer from its ancient grandeur after the coming in of the thirteenth century.[1] On the contrary, it remained the government department with the longest history, the most glorious traditions and the most elaborate organisation. It was still primarily the finance ministry of the crown. Its incursions into the fields of administration and justice were inevitable in an age when there was no complete specialisation of function in any branch of the government service. Save within narrow limits, these extra-financial functions of the exchequer were still regarded as aggressions, and reformers sternly warned off the exchequer officers from the forbidden ground. Of all the central institutions of the state the exchequer is the one with which the present work has the least concern. Nevertheless we shall have occasion to refer to it from time to time for several distinct reasons. The first is that fluidity of all mediaeval institutions, to which we have already referred, which makes it impossible for one institution to be treated in complete isolation from others. In any age a financial office is necessarily concerned with administration, and the administrative work of the exchequer overlapped that of the bodies with which we shall be primarily interested. We shall, however, much more often be concerned with the exchequer because it always claimed, and generally exercised, supreme financial control over those household departments to which we shall before long aim at limiting our attention. Even were this not the case, the archives of the exchequer constantly afford indispensable material for every problem of mediaeval administrative history. The disappearance of the records of the household offices, as such, compels us to seek in the exchequer records for the information that we require for household administration.

(c) *The Chancery*

As the centre of the political administration of England in the thirteenth and fourteenth centuries, the chancery is of even more vital importance to the historian than the exchequer. It

[1] Madox, *Hist. of the Exchequer*, ii. 2 (1769): "Before the end of King Henry the Third's reign it fell in great measure from its ancient Grandeur, and from thence forward continued in a State of Declension."

has been less fortunate than the exchequer, inasmuch as its early history has not yet been adequately written. Since the reign of Edward the Confessor the English kings had a seal, kept by a chancellor, and Henry II., if not Henry I., already possessed an intelligent and business-like chancery, as a branch of his household system. But the chancery as an organised office of state is not older than the thirteenth century. Long after the exchequer had become separated from the court, the chancellor and the chancery remained parts of the royal household. It is not until the reign of Henry III. that the chancellor and his specialised staff of highly trained officials were beginning to drift out of the court, just as had been the case with the officers of the exchequer several generations earlier. Even under Edward I. the chancery clerks were still regarded as theoretically part of the royal household, though, for most practical purposes, they were already separated from it. It was not until the administrative reforms of the reign of Edward II. that the accounts of the chancery were finally disentangled from the accounts of the household. By this time, however, the chancellor had ceased to be in any real sense a court officer, and had become the principal minister of state. Accordingly we may say of England, with almost as much truth as M. Viollet said of France, that the chancellor was the link between the domestic ministry of earlier history, and the bureaucratic ministry of modern times; a modern ministry evolved from the primitive domesticity of the household.[1] But it is a note of difference between French and English administrative development, that our chancellor loses his "domestic" character more rapidly and completely than was the case in France; that in becoming a public functionary he did not become wholly bureaucratic, and that we cannot say of England, as M. Viollet says of France, that the whole of the modern ministries of state were to arise out of his office. The chancellorship of France was, when dangerous, held in abeyance,[2] and when revived, was subordinated to royal control. The

[1] Viollet, ii. 130.

[2] It was suspended for forty years under Philip Augustus, and for nearly a hundred years after 1227; *ib.* ii. 131. Similarly the office of papal chancellor came to an end in the last years of Innocent III.; Poole, *Lectures on the History of the Papal Chancery down to the Time of Innocent III.*, p. 140 (1915).

chancellorship of England, profoundly modified in character as the result of the parallel jealousies of Henry III. and the baronial opposition, became, by reason of the ever-growing preponderance of aristocratic direction, almost as much the representative of the opinions of the magnates as the chief ministerial agency of the crown. The English chancellor was, in short, aristocratic almost as much as he was monarchical. Yet the steady separation of the chancery and the court, the growth of the "household of the chancery" and its attractiveness to the ablest of the clerical adventurers who sought a career in the service of the state, gave a bureaucratic tone to the office of the chancery, even when its bureaucrats looked for direction to the barons almost as much as to the crown. Whoever controlled the destinies of the state, the clerks of the chancery went on with their administrative work in much the same way.

The fact that every law-suit began with a judicial "writ of chancery," and the imperfect distinction made in men's minds between the administrative and the judicial spheres, gave the chancery from the beginning some of the attributes of a law court. So early as the days of St. Thomas of Canterbury, the chancellor was constantly occupied with judicial work, and at no time was this side of his activity unimportant, whether he acted as a judge in his official capacity, or whether he heard pleas as a leading member of the king's council, and chief adviser of the king, who was ever regarded as the fountain of justice. The judicial importance of the early chancellors has, however, been unduly insisted upon by the modern lawyers, who have studied the history of the chancery, only from their own standpoint of the chancery as a court of equity. It cannot, therefore, be too much emphasised that for our period the chancellor was administrator and secretary much more than he was judge. Yet so early as 1340 the chancery is, by implication, described in a statute as a law court, and in 1349 the king made to the sheriffs of England a famous proclamation, reciting that he referred to the consideration of his chancellor certain matters, concerning both the common law of England and his own special grace, which he had previously decided in person. Within a few years records of judicial proceedings in chancery began to be preserved, and in the last reign of our period, that of Richard II., the

chancery was rapidly becoming a law-court in the modern sense.[1]

The history of the chancery as a law-court has been to some extent investigated. The history of the chancery as a secretariat has not yet been written. There are perhaps more abundant materials for that study than exist for the history of any similar mediaeval institution; more, possibly, than remain for the study of the papal chancery itself. How copious these latter materials are can be gathered from the important volume which Monsignore Baumgarten has devoted to such technicalities as the method of sealing, the officers of the seals, their lodgings and their finances, and the methods of the despatch of documents which prevailed in the papal chancery during our period.[2] How much can be drawn even from the very inferior material surviving in the French archives can be seen from such studies as that which M. Ch. V. Langlois has devoted to the beginnings of the French chancery, and from what M. Morel has accomplished so successfully for the *grande chancellerie* of the early Valois kings of France.[3] I am glad, however, to be able to announce that a very serious effort has been begun to fill up this great gap in the history of mediaeval English institutions.[4] That being so, there will be the less need for me to concern myself in the present book with the detailed history of the chancery. Nevertheless, there is so much intimate connection between the subject which I have taken in hand and the office of the chancery, that it is practically impossible to treat of the former without constant reference to the latter. I shall endeavour to make such references as infrequent as circumstances allow.

[1] See for the judicial side of the early chancery, Baildon's *Select Cases in Chancery, 1364–1461*, Selden Soc., 1896. The passages referred to in the text are to be read in pp. xvii-xviii. The law courts enumerated in 14 Edw. III. cap. 5 are "la chancellerie," "le bank le roi," "le commune bank," "l'escheqer," "les justices assignez, et autres justices a oyer et terminer deputez."

[2] *Aus Kanzlei und Kammer: Erörterungen zur Kurialen, Hof- und Verwaltungsgeschichte im xiii, xiv, und xv Jahrhundert* von P. M. Baumgarten, Freiburg, 1907. Compare Mr. C. Johnson in *E.H.R.* xxiv. 138-139.

[3] M. Langlois' memoir, sent to the Institute in 1895, though frequently referred to, does not seem to have been published; Viollet, ii. 102. M. O. Morel's "La grande Chancellerie royale, 1328–1400," is in *Mémoires et Documents publiés par la Société de l'École des Chartes*, iii. (1900).

[4] My old pupil, Miss L. B. Dibben, has been engaged for several years on this subject, though since 1914 the war has diverted her energies to more "practical" channels.

SECTION III

The General Scope of the Present Work

(*a*) *The Chamber and the Wardrobe*

Seeing little immediate need from the administrative point of view to specialise on the study of the exchequer, and leaving to others the early history of the chancery, I have thought it most profitable to devote my own attention to the history of the household administrative departments of the wardrobe and the chamber. Some summary impressions of the results I have obtained have been published in 1914 in my book on the *Place of the Reign of Edward II. in English History*. The process by which I have reached these results, I aim at setting forth in more detail in the present work. As the whole ground of administrative history is still so imperfectly known, I was obliged to some extent to interest myself in the nature and functions of the chancery and the exchequer, and to devote considerable space to treating of these in print. However, so far as circumstances made it possible, I have striven to focus my work round those administrative branches of the royal household which, in practice, were constantly tending to become the rivals of the chancery and exchequer, and, therefore, a third great permanent element in the administration of the English state. Moreover, in studying the household on its administrative side, and the household administration in its public aspects, I have endeavoured, so far as possible, not to concern myself with the king's household as a whole. The daily life of the king and his court is entirely without my sphere. We shall have nothing to do with the pomp and glory of regality, and have little direct concern with the personal and domestic aspects of the royal establishment. Nearly the whole lay, and therefore most of the military, element in the household is foreign to my special purpose. Our attention must be fixed as far as possible on two chief aspects of household administrative activity. The first of these in order of time is the king's chamber, the source of the exchequer itself, which still continued to exist as a permanent domestic exchequer,

even after it was overlapped, and to a considerable extent superseded, in this function by the king's wardrobe. But the wardrobe was never wholly or principally a board of finance. It was also, as Edward I. himself calls it, the "private chancery of the king."[1] After dealing with the venerable organisation of the royal chamber, I wish to describe the wardrobe as the chief administrative, directive, financial, secretarial and sealing department of the household. This study will form the first portion of the present work. It does not profess to be very definitive, for the materials for the history of the wardrobe, surviving in the Public Record Office and elsewhere, could only be exhausted after a much more protracted examination of them than I have been able to make. My attempt may, however, be of some use as a first effort, so far as I know, to set out in order the obvious facts as to the clerical and administrative departments in the English king's household in the thirteenth and fourteenth centuries.

There is no need to disparage the importance of even the domestic arrangements of so important a personage as the king of England. It is, however, a commonplace of history that the special interest of the organisation of the royal household is due to the fact that it was from the chief offices of the household that the great offices of state of later times owed their development. It is equally a commonplace to say that the men of the middle ages did not clearly distinguish between the king in his private and public capacities. The land, the people, the law-courts, the army, were as much the king's own personal possessions as were his various demesne manors or the furniture of his palaces. Thus it followed that, when in England the great departments of state, the exchequer and the chancery, gradually acquired an existence separate and independent in essentials from that of the king's household, the primitive undifferentiated household organisations still continued in existence, still kept up the early confusion between king and

[1] *Rôles Gascons*, ii. No. 1796, "Sub sigillo cancellarii nostri priuati." A private chancellor involves a private chancery, and such a body could only have been the wardrobe. The officer referred to can only have been the keeper of the privy seal, who was in 1290 also controller of the wardrobe. Perhaps the unusual phrase was put in as more intelligible in the Agenais than the ordinary formula "sub sigillo nostro priuato."

kingdom, and still from time to time threw off offshoots, which continued, as of old, to disregard our modern separation of the private and the public spheres of the royal activity.

There was also a practical check to the drawing of theoretical lines of demarcation between the public and private spheres of the royal authority. It was clearly as much the interest of the barons as it was of the king to recognise no distinction between them. As the strong "constitutional" movement in England put an end more quickly than abroad to the primitive curialist character of the great offices of state, so the popular movement had with us the result of giving our kings special reason for looking with suspicion on ministers amenable, more or less, to baronial control. This supplied our kings with an intelligible motive for upholding and strengthening a new household organisation, altogether under their command, as a counterpoise to public ministers inspired with aristocratic ideals. It will be rash to affirm that this process was the result of conscious effort, but there can be little doubt that this was its effect in practice. We have nowhere abroad so complete a duplication of offices as that which took place in England, when the ministers of the household were set up over against the ministers of the state. We do not always realise how much of the strength of the resistance of the English kings to baronial pressure was due to the fact that they had at their back a well-ordered institution, such as the wardrobe, to give effect to their wishes. Episodes of mediaeval history, which, at first sight, seem arbitrary and personal, acquire a new significance when looked at from this point of view. Personal favourites of the king, like Henry III.'s Poitevin kinsfolk, Gaveston and the Despensers, Robert de Vere and Simon Burley, were hated by the barons, not so much because they were unworthy or incompetent, as because they were the official heads of an organised court system, which, in practice, could make ineffective the action of public ministers and national parliaments controlled by the baronage. This is notably the case in the reign of Edward II., when we have almost as clear a "system of double cabinet" as that denounced by Burke in 1770. The baronial opposition of the fourteenth century, like the aristocratic Whig opposition of the early days of George III., looked upon the "interior ministry" of the

household as the chief obstacle to their permanent possession of the public ministries of the "high and responsible offices of state."[1] It followed inevitably that the fourteenth-century barons were as eager to bring the court offices under control, as was the king to maintain his failing hold over the ministers of the nation. In the long run, the king was unable to withstand the constant pressure of baronial restraint. Gradually the wardrobe offices followed that same course of development, which had in earlier times made both chancellor and treasurer ministers of the nation rather than of the court. Before the end of the fourteenth century wardrobe offices had either become public ministries of state, attuned on occasion to constitutional control, or had fallen back to be mere domestic departments about the court, exercising little political authority. When the king wished henceforth to play his own personal game, he acted through his secretaries and other more up-to-date officers, rather than through the obsolescent organisation of the wardrobe.

After a preliminary examination of the chief authorities used in this work I shall study the origins of the king's wardrobe in the chamber organisation of the later Anglo-Saxon and early Norman kings. As my main interests and studies do not go back beyond the thirteenth century, I shall endeavour to limit my enquiries into the twelfth, and even earlier centuries, to the special points with which this book is chiefly concerned, and to regard these mainly in relation to later history. But I have found it desirable to go somewhat carefully into the history of the chamber and wardrobe in the twelfth century, as the necessary preliminary to an attempt to trace the differentiation of the two institutions from each other in the early years of the thirteenth century. I shall next have to deal with the detailed history of the wardrobe and chamber system until the end of the fourteenth century, including within my purview its organisation, the officers who controlled it, and the wide functions which they exercised. One result of the wardrobe's ever-enlarging sphere was the strong tendency which it manifested to send out offshoots which ultimately became substantially independent organisations. Chief among these were the great wardrobe, and the various

[1] "Thoughts on the Cause of Present Discontents" in Burke's *Works*, ii. pp. 254, 273 and *passim* (1801).

privy wardrobes, which will also have to be examined. But though I have thought it necessary to set forth in chronological order the main course of wardrobe history, these offshoots were from the beginning so highly specialised that they can quite profitably be studied each by itself, and their consideration will therefore be postponed until the narrative history of the parent organisation is pursued to the end. It is otherwise, however, with the king's chamber, which in the fourteenth century acquired a new lease of life, as a court department, analogous to, and closely allied with, the various wardrobe organisations. This can only be studied as part of the general narrative. Meanwhile, however, the constant process of division impaired the unity and effectiveness of the parent wardrobe office, and made it less able to resist the constant attacks of the baronage. Narrowed down by the middle of the fourteenth century to the "wardrobe of the household," it became more and more a mere office of the court, and lost its chief historical importance by the time our period comes to an end. With this decline of the wardrobe, the first part of our study of mediaeval administration, which has for its subject the narrative history of the wardrobe and the chamber, comes to a natural conclusion. In the present two volumes I have only been able to trace these processes as far as the fall of Edward II. In the two subsequent volumes, which I hope soon to publish, I shall, firstly, finish the general history of the wardrobe down to the fall of Richard II. Secondly, I shall include the deferred chapters on the great and privy wardrobes, thus completing the wardrobe section of my work. Finally, I shall pass to the concluding section of my task, as to which I must now speak.

(*b*) *The Small Seals*

We have seen that the main reason why the wardrobe and chamber deserve some place in history is because they furnished the king with the best available instruments, both for governing his house and realm after his own fashion, and for withstanding the constant encroachments of the lay and clerical baronage upon his traditional prerogative. The effectiveness of these court organisations as administrative bodies was, however, largely due to their having the custody, and therefore the use, of special

royal seals, called, in order to distinguish them from the great seal of the chancery, the king's small seals. In western Europe, where the notarial system had only a late and occasional vogue, no document was in the later middle ages in any sense authoritative without a seal. The chancery grew into the chief office of state because it was the place for sealing with the great seal. Because all sealing was done in France in the chancery, the chancery became the source of all the French ministries. The English chancery was less comprehensive in scope because of the liability of the great seal, in times of stress, to be withdrawn from the king's personal control, and because over against it a sort of domestic chancery was set up in the wardrobe. The wardrobe, not the chancery, was the place where sealing with the king's personal or privy seal was done. The history of the wardrobe, then, takes us to the history of the privy seal.

An integral part of my studies deals with the king's small seals in the thirteenth and fourteenth centuries. The origin and early history of these seals is so inextricably bound up with the general history of the wardrobe and chamber that a great deal must be said about the small seals, their custody and functions, in the course of the narrative history of the wardrobe and chamber. On the conclusion of this, however, I shall add to the chapters already suggested a more detailed description of the various small seals, and a fuller examination of the problems raised by their custody and function. This will begin, naturally, with the oldest and most important of the small seals, the privy seal, its nature, its functions, its custody and its administrative importance. It is most likely that this seal was originally kept in the king's chamber, and so was a chamber seal. During the reign of Henry III., however, the privy seal became the seal of the wardrobe, and was confided to the custody of wardrobe clerks. Within a century, however, we shall have to trace the process by which an "office of the privy seal" became a separate branch of the wardrobe, and began gradually to go out of the wardrobe, finally forming a new department of state. As a result of this the keeper of the privy seal, originally a mere clerk of the household, developed into an important minister of state.

The withdrawal of the privy seal and its officers from the

custody of the wardrobe caused it to lose its original character. Like the great seal, it became less a seal of the king than a seal of the state. Accordingly, the king strove to compensate himself for the loss of control over the privy seal, by setting up other personal seals. We shall, therefore, next have to deal with the various reduplications of the privy seal which arose in the course of the fourteenth century, such as the secret seal, the griffin seal, the signet and their like. These new small seals the king strove to retain as much as he could in his own hands. He therefore "kept" the secret seal and the griffin seal in the chamber, which was now regarded as the most personal of all the departments of the household, no doubt because its control was not yet claimed by the baronage. Ultimately, however, these seals gave place to the signet, kept by the king's secretary and administered in the signet office. With these problems of their custody and significance we shall again approach the constitutional and administrative aspects of our theme.

The description of the small seals was the first part of this book to be written. It is more than ten years ago that I was first attracted to the studies which have resulted in the present work by the perusal of M. Déprez' valuable treatise on the small seals of England.[1] So many new problems and difficulties were opened up by it, that I soon resolved to aim at supplementing M. Déprez' account of the diplomatic of the small seals, by a study of the administrative and political importance of these instruments of prerogative between the days of John and Richard II. As I went on with my search, I found it was impossible thus to limit the field. The privy seal was kept in the wardrobe; the secret seal and the griffin seal were kept in the chamber. It was, therefore, as hopeless to give an adequate account of the historical importance of the small seals, without studying the organisation of the wardrobe and chamber, as it is to give more than an antiquarian account of the great seals of England without making a completer examination than has yet been attempted of the organisation and methods of the chancery, in which the great seal was kept. In order to

[1] *Études de diplomatique anglaise. Le Sceau privé, le Sceau secret, le Signet*, 1908. See my review of this very suggestive monograph in the *E.H.R.* xxiii. 556-559 (July 1908).

avoid this difficulty I felt obliged to enlarge my subject, and to delay the completion of what I had written, until I had made such study as I could of the offices which issued the writs authenticated by the small seals. It is only right to mention the process by which the book has attained its present dimensions, because I do not feel very sure that I have altogether succeeded in adjusting the relative proportion which should exist between the various elements of it.

In dealing with the small seals I have, as far as may be, relegated their diplomatic to the background. It would be useless to say again what M. Déprez has already said so adequately. So far as completeness compelled me to add something, I have put it as briefly as possible. For the greater part, I have aimed merely at supplementing and correcting his monograph, and must refer to his pages those who wish to see a careful analysis of the forms, elements and technicalities of the documents under the smaller seals. If, therefore, I have more often mentioned points in which I disagree with M. Déprez than those in which I am his follower and disciple, it is because I do not wish it to be thought that what I offer here shall be in any sense looked upon as superseding so valuable and suggestive a work. I have not even been at pains to give many examples of the various types of writs and letters issued under these instruments. They are to be read in the book of M. Déprez. Moreover, more numerous specimens of the different kinds of instruments under these seals can be studied with equal convenience in Mr. Hubert Hall's most useful *Formula Book*,[1] which appeared soon after M. Déprez' work. The existence of these two books will save me the trouble of adding to this section any lengthy appendix of documentary illustrations. If, perforce, I have to say a good deal about the diplomatic of the small seals, my purpose in so doing is always subsidiary to the administrative and constitutional motive. Accordingly, my appendices will be chiefly taken up by lists of wardrobe and household officials and sundry tables. All of these will be appended to the second instalment of my book, because the ground they cover is not entirely surveyed

[1] *A Formula Book of English Official Historical Documents. Part I. Diplomatic Documents*, 1908. The specimens of mediaeval documents under the small seals are mainly on pp. 91-113.

in the present volumes. Even at this stage it was impossible to resist the temptation of printing a few unpublished documents, notably the first extant wardrobe account and the household ordinance of 1279.[1]

A study of seals must more or less deal with what is somewhat grandiloquently called sigillography or sphragistic. Seals for their own sake may become, and often are, the subjects of the merest antiquarian trifling. Yet there is no reason in the nature of things why seals, or their modern equivalent in the collectors' view, postage-stamps, should not in a humble way be made to contribute their little quota to the great work of reconstituting the past. To imagine the past correctly we must picture it in its minutest details; because it is only by studying it in such a fashion that we can rightly obtain a sound conception of the structure and functions of bygone human society as a whole. But I have nothing of the seal collectors' special knowledge, and I have only a faint interest in the details of his quest. A seal is only important when it is studied in relation to the instrument that it authenticates, when it is neither physically nor morally cut off from its natural place at the foot of its document and relegated to a show-case by itself. From this point of view I have done my best to describe with care the various types of small seals that came within my province, and I am not without hope that the illustrations, both of the seals and of some typical documents to which they are appended, may add a certain element of interest to the forthcoming second instalment of my book. If some of them might with almost equal propriety have appeared with the present volumes, the majority have a more natural place later. Moreover, the difficulties of selecting and reproducing such illustrations in war-time give a good practical reason for their postponement.

In treating all these matters, I have deliberately subordinated the archaeological aspects of the subject to the historical ones. I am interested in seals less because of their rarity or beauty than because they are an essential element in the minor historical problems which I have amused myself in investi-

[1] I have already published Edward II.'s Household Ordinances of 1318 and 1323 in an appendix to my *Place of the Reign of Edward II. in English History*, pp. 270-318 (1914).

gating. Even on such minutiae as the forms of the seals, and the technique of the folding and sealing, I shall seek to be guided by the principles on which I have treated the diplomatic of the documents and the organisation and functions of the machinery through which they were circulated. I have tried to approach all these matters in the spirit which inspired the wise words of the late F. W. Maitland, when dealing with a branch of history only less repulsive to the outward eye than my present particular province. "All this formalism," wrote that great scholar, "is worthy of study; it is the necessary groundwork for ministerial responsibility and government by discussion."[1] It is as an attempt to set forth in order some aspects of mediaeval formalism in their bearings on the larger problems of constitutional and administrative growth that I should wish this book to be primarily regarded.

How dull and how unimportant are the details now set forth, no one can be more conscious than myself. But I have a profound faith, not only that the most trivial of historical details may be used to illustrate a principle of general importance, but also that the work most specially needed in English mediaeval history is just the patient and plodding working out of apparently unimportant detail. By this method I believe the English mediaevalist can best advance his science. If this supreme object can be attained, even in the smallest degree, it is irrelevant to say that the process by which it has been reached is technical and dreary.

In the course of the reign of Edward II. the "office of the privy seal" with an adequate staff of its own, definitely arose as a sub-department of the wardrobe. By the middle of the reign of Edward III. this office has shaken off its dependency on the household, and become for all practical purposes an independent department of state, parallel to, if not so important as, the chancery and the exchequer. A considerable section of this study must deal with the office of the privy seal, considered as a department of state, and with the keeper of the privy seal, now quite dissociated from the wardrobe, and third in importance among the great ministers of the crown, ranking immediately after the chancellor and the treasurer. I have taken a good

[1] *Mem. de Parl.* (1305), Introduction, p. lxxi (R.S.).

deal of trouble to compile as careful a list as I could of keepers of the privy seal, and in dealing with the office I have been at some pains to collect as many names as I could of the persons employed in it as clerks. This is a natural development of the parallel lists of wardrobe officers, which I shall also publish at the end of the book. As regards both classes I have not been completely successful before the middle of the fourteenth century. The royal habit of appointing wardrobe officers by word of mouth has prevented any formal record of appointment, and we can only easily trace their succession when the issue rolls begin to set down their payments of wages. Incidentally, though avoiding mere biography, I have made an effort all through my book to correct existing accounts of the careers of the more important household officers. In a few cases, where prominent or characteristic personages have failed to find a modern biographer, I have departed from my general rule by an occasional excursion in a biographical direction. Though in some ways the easiest part of the work to compile, it is not impossible that some of these digressions may add a little more human interest to the book.

I have made the fall of Richard II. the stopping-place of my work for several reasons. A book that has been ten years on the stocks has to be finished now or never, and had I gone beyond 1399 I should have had to traverse paths to which I have long been a stranger. Moreover, the history of household administration in the fifteenth century is a period of decay. The institutions which I have endeavoured to study had already received their final shape, and, so far as they were not elevated into offices of state, they were ceasing to be of great political importance as instruments of prerogative. Household administration on the old lines was incompatible with Lancastrian constitutionalism. But as the constitutional experiment failed, new forms of household activity arose, or old ones were revived. In the powerful chamber of the late fifteenth century and in the passing of administration from the hands of the chancellor to those of the king's secretary, we have one of the explanations of the method by which the "new monarchy" of the Yorkist and Tudor kings carried out its will. If there is something to be gleaned from a continuation of my subject to the establishment of the Tudor monarchy, there is a more fruitful field still untilled in the genesis

of modern administration in the household system of the revised monarchy. But this great subject, though urgently demanding investigation, lies outside the province of the student of the middle ages, though he would be much assisted were such an enquiry seriously taken in hand.[1]

With reference to the office of the privy seal I have been tempted to carry the subject some years beyond 1399. A lucky accident has made it possible for us to get a vivid and detailed picture of the working of the privy seal machinery from the more personal and interesting parts of the works of Thomas Hoccleve, the first clerk of the privy seal who made for himself any name in literature. From Hoccleve's autobiographical poems come glimpses of the intimate life of a humble civil servant of the crown such as can hardly even be imagined for an earlier age. There is assuredly no lack of the human touch in the material we can derive from Hoccleve's halting rhymes. Moreover, to the same versatile, if pedestrian, writer we are also indebted for a manuscript treatise which affords us our first detailed guidance into the technique of his office, thanks to which we may strengthen the administrative as well as the personal aspect of our description.

When the privy seal had become another seal of state, it had naturally ceased to discharge its original function as the personal seal of the king. In describing the reduplications of the privy seal, we have already seen what substitutes for the old personal seal were provided in the new personal seal, called at different stages the secret seal and the signet. The very fact that these seals remained for the whole of our period the strictly personal seals of the king, made it impossible that there should be any very definite officer for their custody, or a self-contained office for controlling their use. Yet in the latter part of our period we find arising in the household a new functionary in the official king's secretary, who, before the deposition of Richard II., stood as keeper of the signet in much the same relation to the king as the

[1] A first step in this direction has been well taken in Dr. A. P. Newton's important paper on "The King's Chamber under the Early Tudors," in *E.H.R.* xxxii. 348-372 (1917). I have to thank Dr. Newton for showing me many of the surviving household records of the sixteenth and seventeenth centuries, at which he is now working. See also his "List of Records of the Greencloth extant in 1610" in *ib.* xxxiv. 237-241 (1919).

early keepers of the privy seal stood to Richard II.'s ancestors. Some account of the early royal secretaries would therefore have been a possible supplement to the earlier section of this book. But the secretaryship was still only in its infancy, and for that early stage of the office I must be content with referring to an article [1] of a scholar who has helped me very materially at every stage of this book. But something about these early secretaries will perforce have to be said, though their real importance only begins with the fifteenth century. Already in the last reign of our period the foundations of the secretary's office have been laid. But we should have to continue our studies to the later Tudor period before we could have found that the secretary in his turn went through the same stages of development as the earlier chancellors had gone through, or, as we shall see in detail, the keepers of the privy seal also traversed. The secretary, too, starting as a domestic officer, became ultimately an officer of the realm, the secretary of state of our modern history, the nucleus of some of the most dignified of our modern ministries.[2] To this day every secretary of state remains theoretically competent to discharge any part of his brother secretaries' duties. To this day also the symbolic acceptance from the crown and resignation to it of the "seals of office," which are historically simply the signets which the early domestic secretaries kept to stamp the king's private correspondence, are still further indications how the modern ministers of the British democracy go back continuously to the domestic officers of our mediaeval sovereigns. The same lesson is brought home more strikingly when the lineal descendant of the controllers of the wardrobe became by a curious freak the parliamentary chief of the brand-new national insurance commission.

The processes outlined above were not limited to England only, for in every country in western Europe there was a wardrobe or a chamber, or some similar organisation for administration and finance. Abroad, too, every ruler, or for that matter every magnate of church and state, had his privy or secret seal. From

[1] Lila B. Dibben, "Secretaries in the Thirteenth and Fourteenth Centuries" in *E.H.R.* xxv. 430-444 (1910).

[2] My pupil, Miss Florence M. G. Evans, M.A., is now undertaking a study of the late Tudor and Stewart secretaries, which may be expected to throw some detailed light upon the process by which this office developed.

all these we can derive valuable lessons of contrast and comparison with the corresponding English institutions. Accordingly, in all stages of this study I have endeavoured to keep in mind the analogies of contemporary continental practice, and to avoid the temptation of treating English affairs as if England were a world by itself, unaffected by its neighbours, with whom it stood in constant relations, and whose institutions and civilisation were entirely on the same lines as her own. If the continental counterparts of the English wardrobe have been but slightly and occasionally emphasised, it is because of the impossibility of extending an enquiry, already over long, into the household organisation of every important European state. In dealing with the more limited problem of the small seals, I have taken some pains to illustrate their history and importance in England by reference to the corresponding instruments in the lands with which the English kings had most frequent dealings during our period. Neither have I altogether lost sight of the fact that, though the wardrobe, chamber and small seals of ruling monarchs have the greater historical importance, and therefore the first claim on our attention, the household of every great man, whether ecclesiastical or temporal, was ordered upon the same model as the establishment of the reigning sovereigns, though of course with greater simplicity and in a fashion less known to us.

CHAPTER II

AUTHORITIES

SECTION I

The Disappearance of the Archives of the Household

In this chapter an attempt will be made to describe the authorities on which this work is based. Everywhere it will be best for the sake of clearness to separate, as far as may be, the section of the book dealing with the chamber and wardrobe from that treating of the small seals. Yet in the present chapter such isolation of the two main subjects with which we are concerned is only possible to a limited extent. The authorities for the history of the wardrobe are the authorities for the history of the privy seal, so long as it was kept in the wardrobe. Even when the privy seal went out of the wardrobe, there remains a considerable mass of material which equally illustrates the two aspects of our theme. It is equally impossible to treat apart the history of the wardrobe and the chamber, and even more out of the question to separate the history of the chamber from the history of the chamber seals. Yet, though considering the authorities in a single chapter, I shall try, so far as is possible, to follow in its arrangement the general lines into which this work is broken up.

The history of wardrobe, chamber and small seals alike must necessarily be based almost exclusively on record sources. A pretty careful examination of many chronicles has yielded but the scantiest of harvests, though here and there an accidental passage in a narrative source has been found to throw some light, if not on the institutions with which we have to deal, at least upon the attitude of public opinion to them. Such passages will

be found in their respective places in the text, and need not be further spoken of here.

Even as regards record sources, the historian of the wardrobe and the small seals is less fortunate than the historian of the great offices of state. Any enquiry into the history of the chancery or exchequer can be written almost exclusively from the records of those departments, preserved, until recently, by the officials of those offices themselves. But though each of the household departments enrolled its proceedings, in fashion not dissimilar from that in which the chancery recorded the acts emanating from it,[1] and though each was among the recognised places for the safe deposit of records, and therefore often received records of transactions not directly issuing from it, the collections, originally in the custody of the wardrobe, the chamber and the office of the privy seal, have been utterly dispersed.[2] Some causes of this disappearance are not difficult to suggest. The crown seems to have been much more indifferent as to the custody of the records of the household offices immediately

[1] M. Déprez (*Études de diplomatique anglaise*, pp. 70-72) is therefore quite right in holding that there were rolls on which writs of privy seal were transcribed, though they were not rolls of chancery, as he thinks, but rolls of the wardrobe. I must to this extent withdraw the objection I made to his argument in *E.H.R.* xxiii. p. 558, though his effort to prove his point by comparing what he thinks was a fragment of such a roll with other chancery rolls is unconvincing. Besides constant references to the rolls of the wardrobe (below, p. 55, *n.* 1), there is evidence that, at the end of Edward II.'s reign, the privy seal office enrolled year by year all writs under that seal ordering payments to be made at the exchequer, and that these rolls were forwarded to the exchequer, as estreats, to save the officials accounting at the exchequer the trouble of getting special writs authorising certain types of payment to them. A similar procedure was at the same time ordered for the enrolment of writs under the great seal, sent to the exchequer as warrants for payment. See the text for the order of June 30, 1326, in *Red Book of the Exchequer*, iii. 950, (R.S.): "Ordene est . . . qe le chaunceller du grant seal et le gardein du priue seal, qi sont ou pur temps serront, facent annuelment desore mettre en roule, pleinement et destinctement, chescun par lui, touz les briefs et maundementz qi serront faitz desouz lun seal et lautre, a faire paiementz, liuerees, mises ou custages en la forme auantdite, dount accompte et allouance faire se deuera al escheqier auantdit." No such rolls seem to exist at present among the exchequer records.

[2] Dr. A. P. Newton's "List of the Records of the Greencloth extant in 1610," in *E.H.R.* xxxiv. 237-241, throws light on the vicissitudes which beset household records in comparatively modern times, and accounts for the rarity of the survival of even Tudor and Stewart records from that source. It is clear, however, that even in the early seventeenth century many such mediaeval records still lurked in some of the household offices, notably in the Lord Steward's Department.

dependent upon the prerogative, than were the great permanent offices of state and law, such as the chancery, the exchequer and the two benches. The crown and its confidants had no wish to form precedents. There was nothing of the motive of protecting individual rights which influenced the legal organisations. There was a strong feeling that the king's business was essentially secret, and that the recording of his personal acts might interfere with his future discretion, and perhaps give occasion for the enemies of the court to blaspheme. There was less articulate departmental tradition. Outgoing officers were often in the habit of regarding the records of their period of activity as their personal property, and taking them away with them when they gave up their offices. Thus it happened that the archives of the mediaeval household disappeared much more completely than even the archives of the king's personal and palatine jurisdictions, such as those of Chester and Wales, which still survive to a large extent, and whose partial disappearance can be mainly traced to the neglect of their official custodians. We do not know that there even were official custodians of the archives of the wardrobe after mediaeval times, though it is clear that in our period such custody was vested in the controller and after 1312 in the keeper of the privy seal. No doubt the removal of the privy seal office from court was not favourable to its efficiency as a place of custody of household archives.

Fortunately the lack of direct wardrobe and privy seal archives is, to a considerable extent, compensated by the survival of vast masses of relevant material in the archives of departments where the tradition of preservation was stronger, or which have been luckier in surviving the neglect of centuries. We have accordingly to seek our material in the records of the exchequer, and to an only less extent in those of the chancery. As regards both these departments we must make a distinction between those ordinary archives which accidentally and incidentally illustrate our subject, and the considerable amount of material originally emanating from the wardrobe, the chamber and the privy seal offices, which have been handed on to us among the records of the exchequer and the chancery. It is especially from the exchequer records of wardrobe provenance that we get our best original material.

SECTION II

The Surviving Record Material

(*a*) *Household Ordinances*

All the offices with which we have to deal were branches of the royal household. Our most fundamental materials are, accordingly, the general descriptions of the king's household such as are met with in the ordinances drawn up for the management of the *curia regis* as a whole. We know that it was not uncommon for the king to issue such ordinances for the reform of his court and household; but those which survive are so widely scattered that it is difficult to ascertain their whereabouts. The following list gives such of them as I have been able to trace.

The earliest of extant household ordinances, in substance if not in form, is the well-known *Constitutio Domus Regis* (*circa* 1135), which is printed in Hall's *Red Book of the Exchequer*, iii. 807-813, and also in Hearne's *Liber Niger Scaccarii*, i. 341-359.

After the *Constitutio*, the earliest household ordinance that I have used is the very interesting one of Edward I., dated November 13, 1279. It is called *Le ordenence del hostel le rei, fet par le commandement le rei a Westminster, le jur de seint Brice, lan du regne de rei Edward setime.* It is preserved in the Public Record Office among the *Chancery Miscellanea*, 3/15, and is here printed in the appendix to Chapter VII. Vol. II.

Of even greater value than the ordinance of 1279 is the plan for the reform of the household, issued in 1318 by Edward II., and supplemented by another ordinance of 1323. These documents were first made accessible for us by the late Dr. Furnivall, who printed an English version of them, made in 1601 by Francis Tate, from *MS. Ashmole*, No. 1147, in the Bodleian. This version, entitled *King Edward II.'s Household and Wardrobe Ordinances*, was published by Dr. Furnivall for the Chaucer Society in 1876, in *Life Records of Chaucer.* (II.) *Chaucer as Valet and Squire to Edward III.* (second series 14). It is to be regretted,

however, that Dr. Furnivall was content to print Tate's late and rather slipshod translation, when two transcripts of the original French ordinance could have been found in the British Museum. From these I have derived the text of the two ordinances printed in my *Place of the Reign of Edward II. in English History*, pp. 267-318. In connection with both should be studied the ordinances of the exchequer of 1323, 1324, and 1326, printed in the *Red Book of the Exchequer*, iii. 848-969.

Other accessible household ordinances are printed in the *Collection of Ordinances and Regulations for the Government of the Royal Household, Edward III.-William and Mary*, published in 1790, by the London Society of Antiquaries. The most important of these for us are on the whole the *Liber Niger Domus regis Edwardi IV.* pp. 15-85, and Henry VIII.'s Eltham Ordinance of 1526, pp. 135-207. It is more than doubtful whether the definitive text of the earlier of these documents is there given. But the numerous Tudor household and early Stuart ordinances should not be neglected, as they contain many survivals of archaic custom. I am indebted to Dr. A. P. Newton for calling my attention to the collections of household ordinances contained in the *Miscellaneous MS. Books*, preserved in the Public Record Office among the Records of the Lord Steward's Department, Series 13, vols. 278, 279 and 280. Vol. 279 contains copies of ordinances from Henry VIII. to Charles I. James I.'s elaborate household ordinances of 1604 are printed in Nichols' *Progresses of James I.* i. 443-453.

The household ordinances thus accessible are but specimens of the very numerous lost ordinances, some of which may reasonably be expected to be discovered by more careful search than I have been able to make. As instances may be mentioned the "Statute of St. Albans," of April 13, 1300, *de aula non tenenda in hospicio regis*,[1] and its later modification by the ordinance of Woodstock, apparently in the earlier part of Edward II.'s reign.[2] Such search might well lead to the finding of texts of some of the ordinances of the reign of Edward III. What is called in the published volume of 1790 "the Household of Edward III. in Peace and War" (pp. 3-12) is clearly not a household

[1] *Liber Quotidianus Contrarotulatoris Garderobae, 1299–1300*, p. 84. Soc. Ant. 1787.

[2] *Pl. Edw. II.* p. 307.

ordinance at all, but a series of extracts made by a Tudor antiquary from various wardrobe accounts.[1]

(*b*) *Law Books and Reports*

After the household ordinances the law books may be mentioned. Of these, by far the most important for us is Fleta's *Commentarius Juris Anglicani*, which is quoted from Selden's edition of 1685. Of it bk. ii. cap. 2, 6, 7, 13, 14, and 15-29 are the most relevant chapters. A modern edition of Fleta is much to be desired. A few points can be gleaned from the *Mirror of Justices* (S. Soc. 1893). Other Selden Society volumes that have yielded some contribution are Baildon's *Select Cases in Chancery* (1896) and Leadam's *Select Cases in the Court of Requests* (1898). The *Year Books*, issued both by the Rolls Series and the Selden Society, have also suggested some valuable points for the reigns of Edward I.-III. To these may now be added the new American series of the *Year Books of Richard II.*, the first volume of which was edited in 1914 for the Ames Foundation (Harvard University Press, 1914).

(*c*) *Exchequer Enrolments*

Every aspect of our subject receives abundant illustration from the great enrolments of the exchequer and chancery. We may first mention the earliest in date of the exchequer enrolments, the *pipe rolls*. These are of great value for nearly every aspect of our subject, and the twelfth-century pipe rolls are substantially the only source for tracing the beginnings of the wardrobe and its development out of the *camera curie*. The first surviving roll, ranging from Michaelmas 1129 to Michaelmas 1130, was printed in 1833 by Joseph Hunter, who first demonstrated that its true date was the thirty-first year of Henry I., and not, as earlier antiquaries, including Madox, thought, the fifth year of Stephen. The next existing roll is that of 2 Henry II., after which the series is continuous. The extant rolls, up to 32 Henry II.,

[1] Mr. C. G. Crump kindly called my attention to this fact. The "Household Ordinances of 1347," spoken of by Miss Dibben, *E.H.R.* xxv. 440, have therefore no real existence.

1185–86, are now accessible in print, a few in the octavo series of the Record Commission's publications, and the majority through the efforts of the Pipe Roll Society, revived in 1903, but again suspended in 1914. One pipe roll of Richard I., that namely for the first year of the reign, and the chancellor's roll, a duplicate of the pipe-roll, of 3 John, have also been published by the Record Commission. These printed rolls are the most important for our purpose. The unprinted rolls for the next generation have been examined without their throwing much fresh light on our subject. With the beginning of direct wardrobe accounts in the reigns of John and Henry III., the pipe rolls become much less important for us. The very numerous references to later pipe rolls in this work are not, as a rule, to the main contents of the rolls, the sheriff's accounts to the exchequer, but to the wardrobe accounts enrolled among them. This will be explained later on.

The place occupied by the pipe roll in the twelfth century in relation to our subject is taken up in the thirteenth and fourteenth centuries by the *issue rolls* of the exchequer. While the pipe rolls represent individual accounts between the exchequer and each sheriff and other accounting officer, the issue rolls present in chronological form the payments made out of the exchequer to royal creditors in obedience to royal mandates. In the days of the Dialogus the writs of warranty for issues were carefully preserved in files.[1] By the next generation the substance of these writs was enrolled in continuous rolls, and these issue rolls remain almost continuously extant from 4 Henry III. onwards. They are throughout a main source for the financial relations of the wardrobe and chamber to the exchequer, though a good deal of their information can be more conveniently obtained from the wardrobe accounts themselves, which also afford us additional knowledge of other sources of wardrobe revenue than the exchequer. Early in Edward I.'s reign, the form of the rolls changed, and the payments made to the wardrobe were grouped together in a fashion that considerably facilitates their use for this purpose, though not from other points of view.

In 1325–26, the issue rolls take rather suddenly their final

[1] *Dialogus*, lxiv. p. 107.

form. The exchequer issues are entered day by day in a single column; the sums are generally added up, and every facility is given for convenience of reference. The full fruits of the reform are seen in the rolls of Edward III. and Richard II. They are a magnificently written and beautifully preserved series. Up to this period the issue rolls contain little of value for the history of the small seals, but from the middle portion of the reign of Edward III. they furnish abundant data for the history of the privy seal, its keepers, clerks, and office.

The issue rolls were always made up in triplicate, the treasurer and each of the two chamberlains of the receipt having each a roll of his own. All three rolls often survive for a particular term, and there are few terms for which there is not a single remaining issue roll.

Throughout they are drawn up according to the exchequer terms, so that there is one roll for Michaelmas and one for Easter term of each regnal year. This rigid scheme of two terms compelled the exchequer to observe a chronology of its own in dealing with the regnal year at either end. Thus while the regnal year of 44 Edward III. runs from January 25, 1370, to January 24, 1371, the corresponding exchequer year begins at Michaelmas 1369, and ends at Michaelmas 1370.[1] The fortunate habit of the exchequer scribes of giving the day of the week as well as the day of the month of each payment makes it easy to ascertain the real years of the transactions recorded by them. Many chronological errors have resulted from the non-observance of these peculiarities of dating,[2] notably in the old manuscript catalogue of the Public Record Office, now happily superseded.

It is much to be regretted that not a single issue roll has been printed as it stands, and that no attempt has hitherto been made to calendar these invaluable records. Recently, however, the whole of the rolls has been renumbered in a single consecutive series, which ignores the unmeaning terms "pells' rolls" and "auditors' rolls" into which they have been traditionally divided. As, however, all old references to the rolls are by the old numbers, their entire obliteration is to be deprecated, as it would give additional trouble to all who aim at verifying references to most

[1] This was pointed out by Sir James Ramsay in the *Antiquary*, i. 156 (1880).

[2] See for instance next page.

published books. A "List and Index" containing the new classification is now in the press.

The best idea of the scope of issue rolls can be gathered from the English translation of the Issue Roll of 44 Edward III., which was published in 1835 by F. Devon, as *The Issue Roll of Thomas de Brantingham, 1370*. Devon also printed translated extracts of various rolls of this period in his *Extracts of Issue Rolls of the Exchequer, Henry III. to Henry VI.* (1837). These two works are often quoted as *Pell Records*, vols. ii. and iii. Devon's chronology must be carefully checked. In Brantingham's roll the earliest entries are on p. 280 (October 1, 1369), and so on to the end of the volume, which takes us to April 8, 1370. The next entry is on p. 1, with the date April 22, 1370, from which it runs continuously to p. 279, where are the latest entries of the roll, dated September 22, 1370. The same misconceptions make the years given in the other volume of Devon sometimes erroneous.

The counterpart of the issue rolls are the *receipt rolls* of the exchequer, wherein are recorded year by year the sums paid in or accounted for to its officers. Such rolls were already in existence in the days of the *Dialogus de Scaccario*.[1] They are continuously extant from 4 Henry III., but throw only occasional light on our subject. An official list of receipt rolls, renumbered on the same principles as the issue rolls, is already in the press. It is probable that the *memoranda rolls*, the most difficult of exchequer enrolments, would afford a good deal of new light on our subject. Certainly my occasional references to them have proved extremely fruitful. Much new material for the reign of Edward II. has been drawn from them by Mr. J. Conway Davies in his *Baronial Opposition to Edward II.* (1918). Some important new writs from this source are set forth in his appendix, pp. 545-562. The memoranda rolls begin early in Henry III.'s reign, in the second year of that king. There are also memoranda rolls of a sort for 1 and 10 John. Up to now both these groups of exchequer enrolments are only accessible in manu-

[1] *Dialogus*, lxiv. p. 107. Mr. Hubert Hall has printed in the *Receipt Roll for Michaelmas Term of the Thirty-first Year of Henry II.* a "unique fragment" going back to the years 1185–86. (Studies of the London School of Economics and Political Science, No. 7, 1899.)

script, but before the war there was some prospect that a systematic attempt to calendar them in print might soon be undertaken. Is it too rash to hope that this project will some day be revived ?

(*d*) *Chancery Enrolments*

The great chancery series of enrolments is of the utmost importance for every aspect of our subject, and their substance for this period is fortunately largely accessible in print. The beginnings of the wardrobe, chamber and privy seal are alike to be studied in the patent and close rolls of John and the early years of Henry III., which are printed *in extenso*, the patent rolls from their beginning in 1201 up to 1216 by the Record Commission and from 1216 to 1232 by the Public Record office. The close rolls from 1200 to 1204 are printed in *Rotuli de Liberate ac de Misis et Praestitis regnante Johanne* (Rec. Com. 8vo. 1844, ed. T. D. Hardy), from 1204 to 1227 in *Rotuli Literarum Clausarum* (2 vols. fol., 1833 and 1844, Rec. Com.), and from 1227 up to 1247 by the Public Record office. We must not apply too meticulously to these early rolls the categories of classification based upon the developed rolls of the fourteenth century. Their inchoate and experimental character fully justifies their publication in full. When the forms of the writs had become a little settled, we can for most purposes be content with studying their substance in the English Calendars which we owe to the Deputy Keeper of the Records, Sir Henry Maxwell-Lyte. The earliest documents treated after this fashion were the patent and close rolls. The Record Office *Calendars* of these rolls are now almost complete for the rest of our period, and are quite indispensable to the administrative historian. Unluckily we are still without the close rolls of Henry III. after 1247. Moreover of those for the reign of Richard II., only one volume, covering the years 1377–1381, has been published up to the end of June 1919. Fortunately the patent roll calendar is now complete up to 1485.

The earliest charter rolls, 1199–1216, were printed in *Rotuli Cartarum*, ed. T. D. Hardy (Rec. Com. fol., 1837). They have been followed by the recent Record Office *Calendar of Charter Rolls*, now complete to 1417. This valuable work is less useful than it should have been by reason of the unfortunate

omission of the names of the witnesses to the various charters. The fine rolls, which also begin under John, have been published *in extenso* for that reign by the Record Commission (*Rotuli de oblatis et finibus*, 1835), which has also printed unsatisfactory *Excerpta e Rotulis Finium* (2 vols., 1835–36) for the reign of Henry III. Since that date the *P.R.O. Calendar of Fine Rolls*, beginning in 1272 and complete to 1347, has afforded occasional valuable information. As time went on the writs were further split up, and separate enrolments of various sections of them made as *liberate* rolls, Gascon rolls, and so on. Of these there have also been issued the *Calendar of Liberate Rolls, 1226–1240*, the first volume of what promises to be another very helpful series. Some of the indexes of these calendars, especially in earlier volumes, leave much to be desired, notably from the point of view of a subject index, but they are all of immense assistance in tracking out the scattered references to our subjects. The Gascon Rolls for Henry III. and Edward I. have been printed in full in the *Rôles Gascons*, 3 vols., edited by F. Michel and Ch. Bémont in *Documents inédits sur l'histoire de France*. These are of considerable value to us, but the unpublished Gascon rolls of the fourteenth century contain little bearing on our theme. Some important entries from them are printed in Carte's *Catalogue des Rolles gascons* (1747), and in the *Foedera*.

After the calendars of chancery rolls, the printed sources that have proved most useful are the rolls of parliament, as printed in *Rotuli Parliamentorum*, vols. i.-iii., an eighteenth-century publication, made accessible by the elaborate index published in 1832. Some rolls, which escaped the notice of the editors of this compilation, can be read in print in Cole's *Documents illustrative of English History in the Thirteenth and Fourteenth Centuries* (1844), and in F. W. Maitland's excellent *Memoranda de Parliamento, 1305* (Rolls Series, 1893), with its illuminative introduction. After these come Palgrave's *Parliamentary Writs* (Record Commission), for the reigns of Edward I. and Edward II., H. Nicolas's *Proceedings and Ordinances of the Privy Council* (1834), vol. i., the reign of Richard II. only, Prynne's *Records*, vol. iii., the *Statutes of the Realm*, vol. i., and the still indispensable Rymer's *Foedera*.

(e) *Wardrobe Accounts*

Up to now we have been mentioning records from which we can obtain incidental information as to our particular subject, but which are for the most part concerned with something quite different. It is now time to turn to the actual records of the wardrobe, the chamber and the privy seal. These have, as already explained, to be sought for mainly in the records of the exchequer and the chancery. The primary function of the exchequer as a storehouse of records was the custody of its own archives. It was, however, always the custom of the exchequer to preserve with its departmental muniments copies of other state documents that might be likely to be of practical use to its officers in the course of their duties. Thus copies of the plea rolls of the common bench were normally preserved in the exchequer for reference[1] as well as rolls of parliament, statutes, and other documents to which the officials had constant need to refer. Moreover, the exchequer also received from other departments, and also from individuals, with writs and mandates of various sorts, extremely different forms of bills and memoranda, as warrants for payments of sums issued by it. All of these it preserved, just as the prudent householder still files his invoices and receipts. Accordingly wardrobe and privy seal documents are still to be found in extraordinary abundance among the archives of the exchequer. The most systematic of these are the elaborate accounts which arose from the necessity, generally imposed upon the wardrobe, of rendering regular statements of its finances to the exchequer, and submitting them to exchequer audit. Year by year the wardrobe clerks tendered to the exchequer an account of their financial transactions, just as the sheriffs did. These accounts were examined, summarised and ultimately enrolled by the exchequer clerks for the purpose of departmental reference.

Both the accounts sent in by the wardrobe clerks or the exchequer enrolments of them, begin in the early years of the thirteenth century. The first of these in date go back to the reign of John, and are fortunately accessible in print.

[1] See *Y.B.* vol. xii. (S. Soc.) pp. xi-xvii of Mr. Bolland's Introduction, "Of the Plea Rolls, their Preservation and Use."

They are (1) the mise roll of 11 John, and the praestita roll of 12 John, published by the Record Commission in *Rotuli de Liberate ac de Misis et Praestitis regnante Johanne* (ed. Hardy, 8vo, 1844), and (2) the mise roll of 14 John and the praestita roll of 7 John, printed in another Record Commission volume, Cole's *Documents illustrative of English History in the Thirteenth and Fourteenth Centuries* (folio, 1844). Of these the mise rolls of 11 and 14 John are by far the most important for our purpose. They seem to be a sort of primitive day-book of the household, containing minuté particulars of the daily expenses of the court, and anticipating the *jornalia garderobe* which survive in large numbers in a later age. They are peculiar to John's reign.

Comparatively complete wardrobe enrolments begin from January 5, 1224, with the accounts of Walter of Kirkham and Walter of Brackley.[1] Henceforth the accounts are fairly continuous, though there are several important gaps of considerable length.[2] The nearest approach to a consecutive series of early accounts is to be found among the exchequer enrolments. These are not the accounts tendered by the wardrobe officials, but the accounts after they have been summarised, corrected and arranged by the exchequer clerks. For the greater part of Henry III.'s reign the exchequer enrolments alone are preserved. The enrolment of Kirkham and Brackley's account is, by a curious anticipation of fourteenth-century procedure, enrolled by itself as a "foreign account," that is to say on a different roll from the "pipe roll," containing the normal accounts of the sheriffs In the same way the roll of 42-45 Henry III. is entered as *Enrolled Accounts, Wardrobe and Household*, No. ii. However, the more usual thirteenth-century custom was to enrol the wardrobe account somewhere in the pipe roll, and here they have for the most part to be sought out. This habit continued until the latter part of the reign of Edward II. By that date the increasing bulk of the pipe rolls, largely caused by the growth of the wardrobe accounts, and numerous other "foreign" accounts of

[1] *Enrolled Accounts, L.T.R., F. Hen. III.* m. 4. I have printed this later on pp. 233-238.

[2] Under Henry III. the gaps are (1) From the king's accession to Jan. 5, 1224. (2) From April 10, 1227, to May 17, 1234. (3) From Oct. 28, 1252, to Jan. 10, 1255. (4) From April 29, 1257, to July 7, 1258. For the significance of some of these breaks in continuity, see Chapter V. p. 220.

analogous types, suggested practical reasons for a change of procedure. Accordingly, by the exchequer ordinance of June 14, 1323, all the foreign accounts were henceforth to be engrossed in a roll by themselves, thus reserving the pipe roll for the sheriffs' and bailiffs' accounts only.[1] The natural result of this was that the enrolments of all wardrobe and household accounts should henceforth be found in a special series of enrolled accounts. Those which particularly concern us are the *Enrolled Accounts (Wardrobe and Household)*, Nos. 2-6. Some of the later subsidiary wardrobe accounts are also to be found in the *Foreign Accounts* arranged by regnal years, of the latter part of the reign of Edward III. and of Richard II., and numbered respectively B to H. Despite the prohibition of 1323, an occasional wardrobe account is still to be found on the pipe roll, or on its counterpart, the chancellor's roll. All the above are still in manuscript, but an indication of the ground covered by them can be derived from the valuable *List of Foreign Accounts enrolled on the Great Rolls of the Exchequer*, pp. 102-103 (*Public Record Office Lists and Indexes*, No. xi., 1900).

Original wardrobe accounts, in the form in which they were drawn up by the wardrobe clerks themselves, survive in large numbers from about the period of the barons' wars in the reign of Henry III. The great mass of these are to be found in the exchequer records in the accounts formerly preserved by the king's remembrancer, and have recently been made more accessible by the *List of Various Accounts and Documents connected therewith, formerly preserved in the Exchequer*. (*P.R.O. Lists and Indexes*, No. xxxv., 1912.) This is based upon a manuscript calendar, formerly kept in the literary search-room of the Public Record Office. The provisional printed list contains corrections and additions to the manuscript calendar, but is not altogether satisfactory as an index to the documents it deals with. It is, however, avowedly provisional in character, and the unfortunate "classification" of the material under illusory heads, made by Joseph Hunter, obscures the original relations of the documents to each other, and to the wardrobe. Pages 220-270 of the printed list, and a whole volume of the manuscript calendar, are devoted to accounts put under

[1] *R.B.E.* pp. 848, 855, 860. Cf. *ib.* 930.

the head "Wardrobe and Household." The documents included in this series are very varied in character, and by far the larger proportion of them are perhaps best described as documents connected with wardrobe accounts. But the heading "Wardrobe and Household" is misleading, since a very large number of the other headings of the list and calendar deal with records of wardrobe provenance. These groups never seem to have been systematically examined as a whole, and a fair proportion of them are somewhat loosely described in the official list. They are of immense value, however, as illustrating nearly every department of wardrobe activity. What we are concerned with for the moment are, however, the wardrobe accounts properly so called, that is the formal and comprehensive statement of the whole wardrobe finances for a definite period of time, tendered in duplicate to the exchequer by the keeper and controller of the wardrobe. Though originally in the form of rolls, they were, from 1286, or earlier, drawn up in the form of substantial volumes, solidly bound in rough leather binding, with the hair still remaining on the skin. They are neatly arranged, beautifully written, and provided for facility of reference with little projecting slips of parchment on which is written the *titulus* referred to, so that we can turn straight to the page at which each *titulus* begins.[1] They become very full in the latter half of the reign of Edward I., but are never so precise or so beautifully kept as in the early part of Edward III.'s reign, in which period the exceptionally impressive books of Edward II.'s later years were made up. Towards the end of Edward III.'s reign they fall off in completeness, and under Richard II. become increasingly unsatisfactory, being often only partially made out.

[1] The first extant book is among the *Misc. Books of Exch. E. of R.* vol. 201. Wodehouse's controller's book of 8 Edw. II. (*Exch. Accts.* 376/1) is a good example of the type, and is normally exposed in Case C 41, in the Museum of the Public Record Office. Books of the sort used for this account cost 2s. 6d. each for binding and making, and were purchased from "stationers"; *Exch. Accts.* 375/8 f. 8: "Willelmo de Southflete, stacionario Londinensi, pro factura et ligatura quatuor librorum de nouo factorum per ipsum pro expensis hospicii infra scribendis et contrarotulandis de anno sexto (E. II.) x. s." The parchment was charged extra; *MS. Tanner*, No. 197 (an account of 4 E. II.) shows Southflete selling 12½ dozen of "parchments" at a price of 1s. 10d. a dozen, and 5 dozen at 1s. 11d. a dozen, for another four such books, and 10s. in addition "pro factura librorum." Clearly the wardrobe kept copies of both the roll and counter-roll which it sent in to the exchequer.

Besides those preserved in *Various Exchequer Accounts* of the king's remembrancer, there are a few very important complete accounts in the *Miscellaneous Books of the Exchequer, Treasury of Receipt* series, and other valuable volumes are now to be found among the *Miscellanea of the Chancery*. Besides these, there are many important wardrobe accounts in the British Museum, some recent acquisitions, notably those from the Phillips library, now included among the *Additional MSS.*, being of exceptional importance. The British Museum also contains some wardrobe accounts of a more partial character. Some wardrobe accounts of both types can be seen in other libraries, as for example the library of the Society of Antiquaries, the Bodleian, and the John Rylands library in Manchester.

The wide dispersion of the existing wardrobe accounts makes it very difficult to examine them very systematically. It would be of the utmost service to all students of late mediaeval history were a single calendar published of all the extant wardrobe accounts of the more comprehensive sort, in whatsoever library or collection they are now found. As it is, it is inevitable that, while some have been extensively employed for historical purposes, others remain almost entirely unexamined.

Considering the importance of the wardrobe accounts, very little has been done towards their publication. No greater service could be performed for fourteenth-century history than the establishment of a society something on the lines of the Pipe Roll Society to make these invaluable records more easily accessible.

It is characteristic of the incuriousness with which these accounts have been regarded that, though it is more than 120 years ago since the first complete account of a whole regnal year was printed, this volume remains to this day the unique specimen of a published wardrobe account. This is the *Liber Quotidianus Contrarotulatoris Garderobae anno regni Regis Edwardi primi vicesimo octavo*, published in 1787 by the Society of Antiquaries, in whose possession the controller's roll for 1299–1300 remains. The keeper's duplicate of these accounts is in the British Museum, *Ad. MS.* No. 35, 291. Printed fragments of other rolls are scattered in *Archaeologia*, xv. (15 Ed. I.), xvi. (1281–1282), xxvi. (10, 11 and 14 Ed. II.), xxxi. (1344–49), and Ellis's

edition of Oxenedes' *Chronicle* (R.S.) gives some of 10-13 Ed. I. With the exception of the latter, these are too fragmentary to be of much value for the purposes of the present work.

Besides the systematic and ultimate accounts, there survive, especially among the exchequer accounts, many partial and preliminary statements of finance which may be properly designated wardrobe accounts. Some of the chief types of these may now be briefly enumerated. (1) The *jornalia*, or day-books of the wardrobe. These are rough accounts wherein are jotted down from day to day, as they occurred, the expenses of the wardrobe officers. Though many of these are preserved, it is characteristic of them that the entries are often all struck out, and that there is often in the left-hand margin a note of rough classification of the entries according to departments, as for example in *Exch. Accts.* 367/23. They were clearly preliminary accounts, and, when entered up under the right headings in more permanent statements, their chief use was gone. Despite this, many of them must have been presented to the exchequer as vouchers for the permanent accounts, and a considerable number of them have been preserved in the exchequer archives. Some are rolls: the majority are books. An example of the former type is in *ib.* 367/23.

(2) *Books of Praestita.*—*Praestita*, or prests, were advances made by the exchequer or wardrobe for various purposes. The relevant *praestita* for us are those paid to different officers of the household for various purposes, the term household officer being still sufficiently elastic to include a large proportion of both the military and civil servants of the crown. The *praestita* were often separately recorded in independent volumes, or rolls, and we have seen that the earliest of these, which have been printed, go back to the reign of John. Later *praestita rolls* are found in fair abundance among the king's remembrancer records. There is, however, no systematic series of *praestita rolls*, and the existing rolls, or rather books, are not of great importance for our purpose, though they have been often useful as recording particular payments, or in preserving names of officials with definite dates annexed to them.

(3) *The Rotuli Hospicii.*—These very valuable records set down in order the daily expenses of the household, arranged

under its various departments or offices, about a dozen in number. They are not properly wardrobe accounts at all, since, as we shall see, *garderoba* and *hospicium* generally stand in strong contrast to each other as almost mutually exclusive aspects of the *domus regis*. They belong, however, to the wardrobe to the extent that they were probably for the most part compiled by wardrobe clerks, who were responsible for all household expenses. Accordingly they often contain valuable information with regard to it. Moreover in the fourteenth-century rolls *garderoba* occurs as one of the "offices" of the *hospicium*, and all through our period, *camera* is included among them. The earliest roll is in *Exch. Accts.* 349/27, and covers the period October 28, 1259, to October 27, 1260. In form the accounts of the *hospicium* are true rolls, made, like the chancery enrolments, of strips of parchment sewn together continuously. There are also rolls of particular branches of the *hospicium*, constructed in the same way, as, for example, the *rotulus omnium officiorum coquine*, a famous example of which type is the magnificent kitchen roll which includes Edward III.'s kitchen expenses from April 10, 1344, to November 24, 1347, and therefore during the whole Crecy campaign.[1] Rolls of this type are a precious and often neglected source of information as to the royal itineraries, because they invariably set down day by day the place of the king's sojourn. The above types, which might easily be added to, indicate sufficiently the variety of partial accounts of series of transactions covering considerable periods of time.

(*f*) *Other Wardrobe Records*

Besides the accounts there are also extant enormous quantities of isolated documents, bearing witness to individual wardrobe transactions. These are either mandates or requests received at the wardrobe, or documents emanating from the department itself. The former type consists very largely of writs, under the privy and other small seals, which will be dealt with later. The latter includes such characteristic examples of wardrobe activity as *bills of the wardrobe*, and *wardrobe debentures*.

The bill of the wardrobe, sometimes also called the bill of the

[1] *Exch. Accts.* 390/11.

keeper, was a small strip of parchment authenticated by the personal seal of the keeper. An enormous proportion of wardrobe transactions were warranted *per billam garderobe* or *per billam custodis*, especially after the privy seal went out of the direct charge of the wardrobe officers. The wardrobe debenture was a special form of wardrobe bill, wherein the wardrobe recorded some debt which it owed, as, for example, the wages of household officers, of soldiers, clerks, etc. It is called a debenture because it begins with the formula *debetur in garderoba regis*. The earliest examples are under Edward I., and are to be found in the exchequer accounts, as, for example, in *Exch. Accts.* 367/14. There is also in the Public Record Office a separate collection of wardrobe debentures, preserved in the treasury of the receipt of the exchequer. Some of these go back to Edward I.; there are a large number of Edward II.; but the great mass of the collection of fifty-eight bundles belongs to Edward III. Some of them are debentures of the great wardrobe, but the great majority are of the wardrobe proper. This important collection has been very slightly examined hitherto.

(*g*) *Records of the Great Wardrobe and Chamber*

Turning from the main wardrobe to the various departments which branched out of it, the sources which we have already enumerated still afford considerable material. They have, however, to be supplemented in each case by such special departmental records as survive. As, however, it will frequently be found necessary to discuss the special departmental records in the chapters devoted to the departmental wardrobes, they need only be very briefly indicated here. The same may be said for the sources of the later history of the chamber.

The origin and early history of the great wardrobe has to be pieced out of the incidental allusions to it in the various chancery and exchequer enrolments, such as the patent, close, Gascon and charter rolls, and the pipe, issue and receipt rolls. Side by side with these are the sections of the ordinary wardrobe accounts dealing with the prices and purchases which ultimately became the sphere of the great wardrobe department. From 1258 a section dealing with the *empciones magne garderobe* is included

in the ordinary wardrobe accounts. Original great wardrobe accounts in a complete form begin in 1285 with the account of Hamo de la Legh, while partial and sectional accounts appertaining to the great wardrobe go back to 1274. In a few years both types become copious and fairly regular. Up to 1323, however, these accounts reached the exchequer through the wardrobe, and were only enrolled as a *titulus* of the wardrobe accounts. In 1323 the separate enrolments of the accounts of the keeper of the great wardrobe begin. For the rest of our period these enrolments are to be found in *Enrolled Accounts, Wardrobe and Household*, Nos. 2, 3, 4, 5. One exceptiona account occurs by itself in *Foreign, 3 Ric. II. A.* From these, and from the original great wardrobe accounts, we can get a nearly continuous picture of great wardrobe operations. The original great wardrobe accounts are all to be found among the *Exchequer Accounts, Wardrobe and Household.* The *Documents subsidiary to the great wardrobe accounts*, scattered through the same collection, contain an immense variety of material for illustrating the individual transactions and detailed operations of the department. After 1557 down to the abolition of the great wardrobe in 1782, the accounts of the keeper of the great wardrobe are preserved in the Public Records among the Records of the Lord Chamberlain's department, which for some mysterious reason "are not open to inspection without permission from that department."

The later history of the chamber must be gathered for the most part from the various classes of documents which have been already described, and from those which will be described when we speak about the sources for the history of the small seals. Among these the calendars of patent and close rolls, the issue rolls, the wardrobe accounts, and the chancery and exchequer warrants, particularly the documents under the griffin and the secret seals, may be mentioned as among the most generally useful. These sources are only supplemented by a special series of chamber accounts and other records for a short period which comprehends the latter part of the reign of Edward II. and the earlier part of the reign of Edward III. The extreme range of these documents is from 1314 to 1361; but they are only copious for the periods 1322–27, and 1344–1356, though many of the

documents dealing with the end of both these periods were sent in several years later. The great majority of these chamber documents are now among the exchequer accounts. They include the partial or complete accounts of several receivers of the chamber, and a large number of documents subsidiary to them. The earliest of the full accounts, that of William of Langley from October 1322 to March 1323, have recently been partly printed by Mr. J. Conway Davies, as "The First Journal of Edward II.'s Chamber," in *E.H.R.* xxx. 662-680 (1915). There are very few enrolments of chamber accounts, though exceptionally the accounts of James of Spain and William of Langley are enrolled on the pipe roll of 19 Edward II., and those of Robert of Burton on the pipe roll of 23 Edward III. To these should be added the considerable number of partial or subsidiary chamber accounts enrolled on the pipe rolls between 33 and 38 Edward III., as the result of the reorganisation of the chamber on narrower and less independent lines, which took place about the years 1355 and 1356. The doctrine that the chamber receipts were personal receipts of the king, and that the king was responsible to no man for them, led to an extreme reluctance of the chamber to accept exchequer jurisdiction, and explains why so few of its records have been preserved to us. Fuller details as to the extant chamber accounts are to be found later in the sections on the later history of the chamber.[1]

(*h*) *Records of the Privy Wardrobe*

The early stages of the privy wardrobe are so inextricably bound up with the later history of the chamber that the authorities for the two can only be very partially separated. Up to 1344 at least, almost any document dealing with the chamber may throw light on the origins of the privy wardrobe, and the earliest extant accounts of the privy wardrobe were sent in as accounts of clerks of the chamber, as, for example, the accounts of John Fleet from January 1333 to July 1334 (*Exch. Accts.* 386/15), which, though technically a chamber account, is critical for the early history of the privy wardrobe. Privy wardrobe accounts proper begin with those of Robert Mildenhall, which range from 1344

[1] See Vol. II. for Edward II. and Vol. III. for Edward III.

to 1353, and are only extant in their enrolment on the pipe roll of 27 Edward III. (mm. 34-36). Mildenhall's successor, William Rothwell, left accounts which survive both as enrolments on the pipe roll of 35 E. III. (m. 53) and as originals in *Exch. Accts.* 392/14 and 393/9. From 1344 to 1399 there is only one short break in the absolute continuity of the extant privy wardrobe accounts, and that is for the first thirteen months of the reign of Richard II., when privy wardrobe finance seems to have been practically in abeyance. With one exception, that of John Luftwick, the last keeper of the series, the accounts after 1353 survive both in the originals in the king's remembrancer's department and in the exchequer enrolments. Like the chamber accounts, they continued to be enrolled in the pipe rolls long after wardrobe and great wardrobe accounts had ceased to find a place there. However, Rothwell's account, which extends to 1360, is the last to appear on a pipe roll. His successors to 1378 had their accounts enrolled on the *Enrolled Accounts, Wardrobe and Household*, No. 4. The privy wardrobe accounts of Richard II. were enrolled on the *Foreign* enrolments of 9, 10, 19 and 21 Richard II. and 1 Henry IV. Details with regard to the above are to be found in *List of Foreign Enrolled Accounts, P.R.O. Lists and Indexes*, No. xi. p. 106. I have printed a good many extracts from the privy wardrobe accounts of Edward III. and Richard II. in the appendix (pp. 688-702) of my article on "Fire-arms in England in the Fourteenth Century," in *E.H.R.* xxvi. 666-702 (1911). Besides these formal accounts, there survive among the exchequer accounts, wardrobe and household, extensive collections of documents subsidiary to the privy wardrobe accounts.

(*i*) *Records of the Small Seals*

We must now turn to the authorities for the history of the small seals, so far as they can be differentiated from those already examined. We will first treat of the sources for the history of the privy seal.

The many thousand original documents under the privy seal in the chancery warrants contain no writ earlier than 1230, and only one of that year. The next writ is not until 1275. Even if other sources, such as the exchequer, may be found to supply

another early writ or two, it still follows that up to the reign of Edward I. we are compelled to trace the early history of the privy seal in secondary documents of various provenance. Our chief trust is in the wardrobe accounts, and in the casual inclusion of writs of privy seal in the general enrolments of the chancery. When the chancery records began, no clear line was as yet drawn between acts of the chancery and acts of the household. Consequently, documents authenticated by the privy seal were often enrolled in the patent and close rolls of John, and in certain parts of the reign of Henry III. Later, it became very unusual to set down in a chancery enrolment any writ that did not issue from chancery. This was, indeed, unnecessary, since there is evidence that letters of privy seal and other writs issuing from the wardrobe were from Edward I.'s time at least regularly enrolled in the rolls of the wardrobe.[1] Unluckily this series of enrolments has totally disappeared. We must remember, however, that a fair proportion of the writs of great seal were virtually transcripts of the writs of privy seal by which they were warranted. In such cases the patent and close rolls appended to writs thus authenticated the statement that they originated by writ of privy seal. There are many other occasional references to the activities of the privy seal.

When surviving original privy seals become copious after 1275, they only represent certain particular activities of the privy seal to the exclusion of others. We have seen already that there are no surviving archives of the privy seal department during the middle ages. The great wealth of privy seal documents, still preserved in the Public Record Office, mainly arises from the retention among the records of the chancery and exchequer of many thousands of writs, bills and petitions, sent to those offices from the privy seal office, as warrants for the issue of writs of great seal from the chancery, or for the authorisation of payments from the exchequer. They were, therefore, treated as chancery and exchequer warrants, and as such "filed" for purposes of reference. This means that they were strung together in some

[1] See, for instance, *C.C.R., 1288–96*, p. 149, a memorandum that letters relating to Norway were sealed secretly, that they were not enrolled in the chancery rolls but were carried to the king's wardrobe to be enrolled on the rolls of the same. Compare *ib.* p. 443, "the transcript of which letter is enrolled in the king's wardrobe and not here." See later, Vol. II. Ch. VII. § v.

faint approximation to chronological order on stout strips of parchment arranged according to regnal years. There are innumerable references in the chancery enrolments to the writs of the privy seal, which are on the *filacia* of the chancery of various years.[1] Some of the original exchequer files can still be seen in the Public Record Office. These, at least, were grouped roughly together in stout leather covers to form "bundles."

By far the largest collection of writs of privy seal now extant is contained in the series called officially *Warrants for the great seal*, and preserved among the records of the chancery. These warrants have been of recent years reduced to regular order, and are now in an excellent state of repair and very easy of consultation. They are arranged in modern "files," each file being neatly bound in a red cover with the documents straightened out and conveniently juxtaposed in rough chronological order. Within each file the documents are numbered consecutively, but, unluckily, an "old numbering" in a long series that runs to many thousands cannot be obliterated. There are great difficulties in working out any one scheme of numeration, especially by reason of the constantly recurring problem, whether a series of several documents all relating to the same matter is to be treated as a single act or not. It is therefore necessary to quote the numbers with caution. Unluckily the process of arranging and straightening out the writs has played havoc with the seals.

A typewritten calendar, accessible in the round room of the Public Record Office, gives a summary view of the contents of all the files. This series is the material on which M. Eugène Déprez, now professor in the University of Rennes, based his study, published in 1908, called *Études de diplomatique anglaise (1272–1485)*, i. *Le sceau privé. Le sceau secret. Le signet* (Paris, H. Champion). In this excellent monograph M. Déprez has described this series with such particularity that there is no need here to go over again the ground that he has covered so well. Unluckily M. Déprez has persistently regarded the chancery warrants as exclusively a series of privy seals. These warrants, however, contain a large number of documents of very varied origin. So far as they are really warrants, the only point common between them is that they authorise the chancellor

[1] For example, *C.C.R., 1296–1302*, p. 136.

to issue a writ of great seal. But they include a considerable number of mandates to chancery clerks to perform various acts which are in no strict sense "warrants for the great seal."[1] Moreover, among them is a fair proportion of the petitions on which the writs of privy seal themselves were based.[2]

Making full allowance for deductions on this score, the collection of privy seals remains one of almost overwhelming richness. Between 1275 and 1485 the whole series of warrants includes 1758 files, to each of which M. Déprez assigns, on the average, about 100 acts. Of these there are 1329 files more specifically entitled "writs of privy seal" and "bills of privy seal," though they also contain other types of document. The "writs" are included in files 1 to 907, and the "bills" range from file 908 to file 1327.[3] The former, besides the isolated act of 1230, cover the whole period 1275 to 1485; the latter, though furnishing examples as early as 1311,[4] only begin in earnest about 1350, and are essentially the earlier "writ" with some of its technicalities and verbal padding cut down. Of the writs there are only four files for the period 1275–1292, so that the first period of Edward I.'s reign, the period of Burnell's chancellorship, is but scantily represented. But from 1292 to 1307 there are 53 files; for Edward II.'s reign there are 77; for Edward III., 316, and for Richard II., 129. We must add to these, 65 files of the "bills" of Edward III., and 110 of those of Richard II.

There are special difficulties with regard to some of the files.

[1] For instance, see the writs printed by J. Conway Davies, *Baronial Opposition to Edward II.*, pp. 571-81. These all come from the chancery warrants, but only a small minority are warrants for the seal. They are mainly mandates to chancery officers, and have therefore original force. This is doubtless why Mr. Davies chose them to be printed.

[2] The occurrence of numerous petitions among the chancery warrants shows that the immense modern collection of "ancient petitions" is far from being exhaustive. This is not to be regretted in this relation, since the juxtaposition of the petition and the writ arising from it in the same file is an eminently desirable one. An alphabetical list of the new class of *Ancient Petitions* is given in *P.R.O. Lists and Indexes*, No. i., 1892.

[3] In the official calendar the "bills" are said to go on to file 1329.

[4] The first of these documents, *Chancery Warrants*, file 909, No. i., is of the date Oct. 10, 1311; cf. *C.P.R., 1307–1313*, p. 393. It is the first "bill" of Edward II.'s reign recorded in this calendar; but there are earlier examples of "bills under privy seal" in the previous reign, *e.g.* one of Feb. 23, 1302 (*ib., 1301–1307*, p. 21, "by bill sent under the privy seal").

Thus file 134 is described as including "warrants of uncertain years of Edward I.," but all the "doubtful" warrants are addressed to two of Edward II.'s chancellors, Walter Reynolds, bishop of Worcester, chancellor between 1310 and 1314, and to John Salmon, bishop of Norwich, who acted from 1320 to 1323. Again file 908, "letters of privy seal 17-34 Edward III.," seems to contain documents essentially identical with the "bills," while file 909 is described as extending from 5 Edward II. to 24 Edward III., but as a matter of fact nearly all the documents belong to 24 Edward III. Files 974 and 1085 are purely files of "protections under privy seal," or rather orders for the making of protections under the great seal.

Of the four hundred remaining files of chancery warrants those which will concern us most are the "warrants under the signet and other small seals," which begin about 1313 [1] and extend from file 1328 to file 1393. Files 1328 and 1329 are of Edward II.'s reign and under the "secret seal," though in the official calendar in the Round Room they are both included in the files devoted to "bills of privy seal." As the earliest examples of their type, they are of great importance. "Signet" warrants begin under Edward III., but are so mixed up with secret seal warrants that it is undesirable to describe them more fully at this stage. The files 1330 to 1393 contain miscellaneous documents under the complicated "small seals" of Edward III. and Richard II. Further particulars about them will be given in later volumes, but it may be noticed that there are 9 files for Edward III. and 7 for Richard II. There are 37 for the period 1399–1485, which lies outside our province. Of the remaining numbers of the chancery warrants, files 1394–1758 are divided by the official calendar as follows: 1394–1531, signed bills and other direct warrants; 1532–1537, regents' warrants; 1538–1548, warrants of council; 1549–1643, treasurers' warrants; 1644–1647, butlers' warrants; 1648–1674, various warrants, and 1675–1758, warrants unclassified. Only a small proportion of these have any direct bearing on our subject.

The chancery warrants do not exhaust the original "privy seals" preserved in the Record Office. In the exchequer records two great groups of documents are to be found which contain

[1] File 1328, No. 1, is dated Feb. 8, 1313, "under secret seal."

another type of "warrant." These are "warrants for issues," that is, orders addressed to the treasurer and chamberlains of the exchequer to pay sums of money under prescribed conditions. They are to be found in the records of the exchequer of receipt and are in two series. The present condition of the earlier of these is in strong contrast to the convenient and orderly arrangement of the "chancery warrants." The *exchequer warrants for issue* are preserved in unwieldy bundles, wherein some of the documents are still kept together on the original files, but many are loose, all are dirty, and many torn and defaced. An attempt to sort out the bundles in rough chronological order has been made, but has not always been very successful. It is, of course, a hard and disagreeable task to work through such a disorderly array, but there are compensations which more than outweigh the additional trouble. The original bundles and files show us the method by which the records have been kept since the time they were made; for example, the warrants of 43 Edward III. in bundle 10. We realise in seeing them what the *filacia* of the patent and close rolls really were. Moreover the original method of folding, sealing, and closing the act can be much better studied. And above all as an excellent result of these warrants having been very little handled, the seals are more often preserved, and are in a much better condition than are the seals of the chancery warrants. Some admirable specimens of seals can be seen among them. Only a proportion of the documents are "writs of privy seal." Combined with them are, especially in the earlier bundles, many originals or copies of writs of *liberate* and *solvatis*, that is, warrants for issues made under the great seal. They were preserved along with the "privy seals," because from the exchequer point of view it was a matter of indifference under which seal the authority to pay was issued. To the exchequer official great and small seals were alike in being equally valid as vouchers for payments.[1] The first bundle extends substantially from Henry III. to Edward III., there are 10 parcels for the reign of Edward III. and 3 for that of Richard II. Later

[1] The great seals attached to a tag "en simple queue" must have been extraordinarily heavy for such small slips of parchment as the ordinary "liberate" writ, and are invariably torn off with the tag, no doubt for the sake of the wax. The earliest "liberate" writ is included among these. It is the precious writ of Henry II. printed in Madox, i. 390 (1769).

they become more copious. Another series is exclusively devoted to *exchequer warrants under the signet*. These only begin with the latter years of Richard II., and are now being arranged on the same system as the chancery writs.

Many original documents under the small seals are to be found in the *exchequer accounts*, not only in the bundles labelled by Hunter, "wardrobe and household," but under many other headings not always suggestive of household provenance.[1] These include a large number of writs of privy seal, addressed to the keeper, or cofferer, of the wardrobe, or to the keepers of the great and privy wardrobes, ordering some payment or livery from their respective departments. Excellent examples of privy seals of this type can be seen among other places in *Exch. Accts.* 368/13, "documents subsidiary to wardrobe accounts, 34 Edward I."; *ib.* 368/14, *prestita garderobe pro robis et pannis*, 33 Ed. I.; *ib.* 368/16, *dona regis, regine, et filiorum suorum*; *ib.* 370/10, *dona*, etc., of 35 E. I., and *ib.* 385/20, "documents subsidiary to wardrobe accounts, 5-7 Edward III." After the early years of Edward III., when the privy seal went out of the wardrobe, orders under privy seal to some wardrobe department naturally become increasingly numerous. They are specially to be sought for in the numbers labelled "documents subsidiary to the accounts of the wardrobe," and in corresponding collections relative to the great wardrobe, and the privy wardrobe. Among them are some excellent impressions of various types of privy seal. Among the documents subsidiary to the chamber accounts are also to be found a fair number of original writs under the secret and griffin seals. Properly belonging to the wardrobe and chamber, these documents were doubtless handed in to the exchequer as evidence of payments.

The numerous writs under the small seals preserved in the chancery and exchequer only illustrate one aspect of the functions of the small seals, and that not the most important one from the historical point of view. Both types alike mainly indicate the methods, ever becoming more complicated, by which the king set to work the machinery of the two greatest government departments of the later middle ages. Their contents seldom

[1] See for details *List of Various Exchequer Accounts, etc.*, as above on pp. i-iv (*P.R.O. Lists and Indexes*, No. xxxv., 1912).

give us fresh information, for they simply anticipate the acts of chancery and exchequer which they initiated. The small seals were, however, also used to authenticate documents which had original, or "missive" force, and are not simply the causes of another, and a more formal act. Unfortunately the originals of missive acts under the small seals are just those which have most commonly disappeared. The comparatively few specimens that remain have to be sought for in all sorts of different places. There are a fair number of such originals in the Ancient Correspondence of the Chancery and Exchequer Series; *P.R.O. Lists and Indexes*, No. xv., 1902. We know enough, however, to feel sure that privy seal writs of this type were issued in almost as great numbers as those of the type which are so much more abundantly preserved. They include most of the more important acts of the privy seal. Though originals are rare, there are large numbers of contemporary copies enrolled in nearly all exchequer and sometimes even in chancery enrolments. Such letters of privy seal are often found copied on the exchequer memoranda rolls, including a large number of critical mandates of the Crown to the exchequer, issued under the privy seal. Thus a very large proportion of the documents printed from the memoranda rolls in Mr. Conway Davies's *Baronial Opposition to Edward II.*, pp. 546-563, are writs of privy or secret seal.

A fair number of original privy seal, secret seal, and signet documents can be found in various repositories of records, notably in the British Museum. Examples of some of the patents and other missive writs under the privy seal characteristic charters, will be found in the later portions of this work.

A large number of writs under the small seals have been published. Some are to be found embedded in chronicles, as, for example, the series addressed to the municipality of London in Stubbs, *Chronicles of Edward I. and Edward II.* (R.S.). Many are to be found in Palgrave's *Parliamentary Writs*, the *Rolls of Parliament*, Rymer's *Foedera*, Prynne's *Records*, and similar collections of documents, or scattered through the reports of the Historical Manuscripts Commission. Many chancery warrants have been printed by M. Déprez, in his *Études de diplomatique*

anglaise, and the same writer promises a collection of such as illustrate the Hundred Years' War in a work which he proposes to edit for the Société de l'Histoire de France. M. Déprez has already printed a considerable number of such acts in the appendix to the *Chronique de Jean le Bel*, edited by M. J. Viard and himself (Soc. H. Fr.), ii. 328-356 (1905). I have spoken already of those published by Mr. J. Conway Davies. A not unimportant source of missive writs of privy seal is to be found in various episcopal registers, wherein bishops caused to be transcribed copies of such letters that they received from the king. For instances, see Swinfield's Hereford register (i. 4, 6, 135, 436, 441), Orleton's Hereford register (pp. 20-21, 50), both in C. and Y. Soc., and Stapeldon's Exeter register (p. 73, letter of secret seal, pp. 442-443, letter of privy seal), ed. Hingeston-Randolph). In Mr. Hubert Hall's *Formula Book of English Official Historical Documents, Part I., Diplomatic Documents, II., Instruments under the Smaller Seals* (Cambridge, 1908), pp. 91-113, are printed selected instruments under the smaller seals.

In the immense majority of cases the impressions of the small seals on the original writs are partially or completely effaced. Many fine specimens, however, remain, notably among the exchequer of receipt warrants for issue, and to a less extent in some of the bundles of documents subsidiary to the wardrobe and chamber accounts among the exchequer accounts. Some excellent examples of such seals are exposed in the museum which Sir H. Maxwell-Lyte has happily organised within the Record Office, notably in Case H, Nos. 76-84, 88-92. More detailed references to the subject will be found in the text of subsequent volumes.

No general calendar of the seals preserved in the Public Record Office has as yet been attempted. Of late years official attention has naturally been mainly concentrated on the great series of chancery and exchequer enrolments. Original sealed documents have accordingly remained comparatively in the background. It results that at present the only catalogue of seals in the Public Record Office, available for students, is a single manuscript volume, mainly occupied with an account of monastic seals of late date. It is a quite inadequate guide to the wealth of seals scattered throughout the collection. There

is, however, hope that the cataloguing of the seals may soon be taken in hand.

The seals at the British Museum are much more carefully preserved than those at the Public Record Office, and have been much more adequately catalogued. Mr. Walter de Gray Birch's *Catalogue of Seals in the Department of Manuscripts in the British Museum* (6 vols. 1887–1900) has often been criticised, but is a useful and indispensable guide to a great collection. The chief references to the seals treated of in this work are to be found in Vol. I. pages 83-86. Its study should be supplemented by reference to the specimens contained in the great French collections. Of these there are some elaborate catalogues. Notable among them are M. G. Demay's *Inventaire des sceaux de la Collection Clairambault à la Bibliothèque Nationale* (1875–76, 2 vols. in the *Collection des documents inédits sur l'histoire de France*), and M. Douët D'Arcq's *Collection des sceaux des Archives Nationales* (3 vols., 1863–1868). M. Demay's book covers none of the ground of the present work. M. Douët d'Arcq's catalogue, though now over fifty years old and hardly always up to recent scientific requirements, makes the seals of the French archives much more accessible to students than is the case with those of our own Record Office.

Little additional help in elucidating the history of the small seals is to be obtained from the general treatises on seals published in this country. The subject is necessarily excluded from Messrs. A. B. and A. W. Wyon's *Great Seals of England* (1887), a useful source of information as to the chancery seals, with good plates, but with a text which at times leaves something to be desired. Less than four pages of J. H. Bloom's *English Seals* (*The Antiquary's Books*, 1906) are devoted to the small seals and the signet, and this meagre account contains some bad errors.

In investigating the constitutional position of the wardrobe and the privy seal, my net has been spread as widely as possible. Here, at least, even the chroniclers are of occasional service, and important hints can be gained from some modern books and articles. Among these Stubbs's *Constitutional History*, vol. ii., is as authoritative a guide to the political history of the period as it was on the date of its publication. Unluckily Stubbs never concerned himself with the problems dealt with here, and his

references to both wardrobe and privy seal are infrequent and not always very illuminating. Even so modern and so scholarly a book as Professor J. F. Baldwin's *King's Council in the Middle Ages* (1913) shows some weakness in this relation, though in many respects his guidance has proved invaluable, notably as regards the relations of the privy seal to the council. For the reign of Edward II., I have to acknowledge great obligations to the wide research of Mr. J. Conway Davies's *Baronial Opposition to Edward II.*

The whole field of mediaeval history has to be ransacked in the section dealing with the custody of the privy seal. Apart from casual references in chronicles, the calendars of patent and close rolls have been throughout very useful. Even more important are the wardrobe accounts, our chief authority for the first part of the fourteenth century. After the middle portion of the reign of Edward III., the issue rolls of the exchequer become most useful, notably by reason of their recording payments of wages, through which a list of keepers and clerks is simple as compared with earlier times.

For the history of the keepers and clerks of the wardrobe and of the privy seal, modern books do not give us much assistance. The best for the purpose are the biographies contained in the *Dictionary of National Biography* and Foss's *Judges of England*. But so little attention has been paid to official history, that it often happens that the statements in both these valuable sources of information are either incomplete or inaccurate. I may say this with the more frankness since some of the relevant biographies, for which I was myself responsible in the *Dictionary*, are far from satisfactory in this respect. It is for that reason that I have thought it worth while to supplement the *Dictionary* articles in this relation, the more so since the information I have collected was gathered together too late to be incorporated in the corrections made in the recent cheaper reissue of the *Dictionary*, and the future of that indispensable work is still unluckily uncertain.

For the clerks and the office of the privy seal, the sources are very similar to those detailed in the preceding paragraph, namely, the wardrobe accounts, the household ordinances, and the issue rolls. When we have got the name of a privy seal

clerk from one of these sources, we can generally find out a good deal more about him, especially in and after the reign of Richard II. The most attractive details come from sources just subsequent to our period. I have already referred to the writings of John Hoccleve, poet and clerk of the privy seal. For my present purpose his more formal poems have no value, but such as the *Male Regle* have real importance. Detailed references to the published volumes of Hoccleve's poems will later be found in their place. An edition of Hoccleve's works has long been promised by the Early English Text Society, and vols. i. and iii. were issued in 1892 and 1897. It is much to be regretted that a large proportion of his work still remains in manuscript.

We also owe to Hoccleve an immense mass of technical information as to privy seal procedure, and copious details as to the various types of privy seal writs to a large quarto volume, mainly in Hoccleve's hand, which is now found as *Add. MS.* No. 24,062 in the British Museum. This invaluable and unique formula book of the privy seal has been carefully examined. An earlier formula book, though compiled on behalf of a famous keeper of the privy seal, Richard of Bury, seems mainly devoted to letters of other origin than the privy seal. This is the *Liber Epistolaris Ricardi de Bury*, now in the possession of Lord Harlech, at Brogyntyn, near Oswestry. This manuscript has been described in *Historical MSS. Commission, Fourth Report*, Appendix i., 378-397.

I have not attempted much personal research with regard to the numerous illustrations from foreign practice which I have thought it desirable to introduce into the text. Foreign analogies do not throw great light on the history of the wardrobe, and the continental chambers are too exclusively financial in their later developments to afford very relevant illustrations. But every European state of importance had its small seals, as indeed had every prince or magnate on either side of the Channel. I have thought it important, therefore, to bestow some attention on the small seals of other lands.

For those of France, by far the most important for our subject, both for purposes of comparison and contrast, I have mainly relied for material on Douët d'Arcq and Demay's Catalogues of Seals, and upon such collections of laws and documents

as the *Ordonnances des Rois de France*. My modern guides have been the late Arthur Giry's excellent *Manuel de Diplomatique* (1894), especially chap. ix., *signes de validation, les sceaux*, and the even more immediately helpful monograph of M. O. Morel, archivist of the Ain, entitled *La Grande Chancellerie royale et l'expédition des lettres royaux, 1328–1400* (Paris, 1900).

Outside France I have made little attempt at first-hand investigation. For Germany and the papacy I have generally been contented to follow Professor Harry Bresslau's standard *Handbuch der Urkundenlehre für Deutschland und Italien*, I^er^ Band (Leipzig, 1889), especially pp. 923-980, xix^es^ Kapitel, "Die Besiegelung." To this must now be added Mr. R. L. Poole's succinct and scholarly *Lectures on the History of the Papal Chancery down to the Time of Innocent III.* (Cambridge, 1915). It is much to be regretted that this admirable book stops short rather too early for my purpose. Professor Heinrich Finke's *Acta Aragonensia: Quellen aus der diplomatischen Korrespondenz Jaymes II., 1291–1327* (2 vols., Berlin, 1908), affords both in its texts and elaborate introductions a useful insight into the position of the small seals in a very active diplomatic centre of the second order. The valuable references to foreign privy seals in Birch's *Catalogue of Seals* must not be lost sight of in this relation.

CHAPTER III

THE ORIGINS OF THE CHAMBER

SECTION I

The Wardrobe in the Chamber

In the twelfth century *garderoba*, or wardrobe, meant, both in England and on the continent, what it means now, a place where robes are kept. More specifically it meant a small room attached, like a modern dressing-room, to the *camera* or chamber, that is the sleeping apartment, and provided with the appliances for storing the garments and other domestic necessaries of the occupants of the adjacent bedroom.[1] From the earliest times the wardrobe

[1] "La chambre à coucher avait pour dépendance presque nécessaire une *garde-robe*, petite pièce analogue à notre cabinet de toilette, et contenant les armoires et les coffres qui renfermaient le linge, les habits, les bijoux, ainsi que les meubles de toilette. A la garde-robe elle-même était annexé un cabinet d'aisances, car chaque chambre avait souvent le sien, et s'il faisait défaut, une *chaière aisée* pouvait se dissimuler dans un coin de la garde-robe" (C. Enlart, *Manuel d'Archéologie française*, 1re partie, ii., "Architecture civile et militaire," p. 80, 1904). M. Enlart refers to two excellent examples of "chambers" with their "wardrobes" and latrines annexed in the *tour de Jean-sans-Peur* at Paris. A good English instance of the combination of chamber and wardrobe is afforded by *Registrum Ric. de Swinfield*, p. 176 (C. and Y. Soc.). It describes the appeal of some of archbishop Peckham's suffragans to the papacy, made by them at Lambeth "in camera archiepiscopi." Their appeal was read by their proctor, John Lovel: "qui quidem magister Johannes . . . appellacionem . . . in presencia domini archiepiscopi a garderoba camere prenotate exeuntis, et per medium camere eiusdem progredientis . . . legere statim incepit." There is a similar collocation in *C.R., 1237–42*, pp. 26-27, of "cameram . . . regine et garderobam subtus cameram illam," and also "ultima camera eiusdem garderobe." The last lines of the quotation from M. Enlart suggest a sense of *garderoba* even more familiar to modern antiquaries than to the middle ages. There are, however, early examples of the employment of this term in this restricted meaning. The earliest I have found is that of "una garderoba," granted along with "una parua placea," in an Oxford deed of 1284–1285 (Salter, *Cartulary of St John's Hospital, Oxford*, i. 131, Ox. H. Soc., 1915). "Camera priuata" was also used in the same sense as early as 1237; *C. Lib. R.*

seems to have been in the closest relation to the chamber. Wardrobe and bedroom, *gardêroba* and *camera*, were, to begin with, identical.[1] In later times they were always very closely related, even when the progress of material civilisation enabled a distinction to be made between the bedroom and the adjacent closet used as a store.

In the simple middle ages only great people enjoyed the luxury of a private bedroom of their own; but when their resources enabled them to possess such a measure of comfort or state, they generally had also a dressing-room, or wardrobe, annexed to it. Of course both *garderoba* and *camera* were confined to the abodes of the wealthy. Among these the wardrobe and the chamber of the king had naturally a special importance. The king had a greater store of rich robes and precious furs than most of his subjects, and so had an exceptional need of keeping them in safe custody. He therefore provided strong boxes and chests for their preservation, and, as his chamber was seldom sufficient for their accommodation, his manor-houses were supplied with special wardrobes for storage of the sort that we have described. It was natural to employ a safe place of deposit, immediately contiguous to the royal sleeping-room, for the

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Henry III. i. 301. Compare *ib.* pp. 336 and 415, where in 1239 a "priuata camera" was erected at Woodstock, available both for the king's wardrobe and the queen's wardrobe below it. See also, for another example, Wilson and Gordon, *Early Compotus Rolls of Worcester Priory*, p. 41 (Worc. H. Soc.), 1908, "in garderoba dormitorii mundanda, iis. iiiid." This was in about 1315. The numerous "garderobe," adjacent to corresponding "camere," erected at Clarendon in 1315, seem to have been "closets" in the modern sense; *C. Inq. Various* (*1307–1349*), ii. 50. Compare *Cal. of Wills proved in the Court of Husting*, i. 574, for its use in the sense of latrine in 1349. See also Chaucer, "Prioresse's Tale," in *Works*, iv. 185, ed. Skeat. After the king's wardrobe became an office as well as a room, the old sense remained. For instance, see *C.R., 1237–42*, p. 178, "et warderobam, ubi robe nostre (sc. regis) pendent, lambruscari (panel) . . . faciatis." Occasionally *garderoba* is used in the middle ages in the modern sense of wardrobe as an article of furniture, a chest for the storage of robes.

[1] Though *garderoba* and *camera* are usually contrasted with each other, they are sometimes employed almost as synonyms. For the equivalence of *hrægelthegn* and *camerarius* in Anglo-Saxon times, see later, p. 70. For late survivals of this identity, see *C.C.R., 1343–46*, p. 66, which speaks of "the hall and two chambers called the wardrobe" in the manor-house of Owthorne, Holderness. See also other illustrations later in the text, pp. 72-79. In the Carolingian realm there was already a distinction between the "camera" and the "vestiarium" of the king (Waitz, *Deutsche Verfassungsgeschichte*, iv. 7). Chamber was sometimes used in later times as almost equivalent to a house. See, for instance, *C.P.R., 1266–72*, p. 178, which speaks of a chamber fortified, crenellated, and enclosed by a ditch and stone wall.

custody of any articles of value of which the king had immediate need. Thus each one of the king's wardrobes easily became a treasury, the place of deposit not only of his rich robes of silk and fur, but of his jewels and ornaments, his store of coined money and bullion, his plate and costly furniture. In them also the king would put under sure keeping the ornaments of his chapel, his library of books of devotion, poems and romances of chivalry. There, too, he would deposit such records, charters, rolls and diplomatic documents as he required to keep handy for reference.

The property, even of kings, was liable to constant risks from robbery and fire, and the peripatetic habits of mediaeval life involved constant journeyings from place to place, during which the utmost vigilance was needed to protect the precious contents of the king's wardrobe and chamber from the perils to which it was constantly exposed. Hence the existence of the wardrobe and chamber required a staff of officers to carry them about the country and protect them. This staff had to include not only carters and sumpters, guards and serjeants for menial service, but also persons of responsibility and trust, who could rise superior to the temptations to which their office exposed them. Men so circumstanced would be sure to be in constant intercourse with the monarch, and if they were honest and able, they were certain, gradually, to become his confidants and advisers. It followed from this that the existence of the wardrobe and chamber as places soon involved their existence as institutions. Accordingly, from quite early times, the king's chamber becomes an office or an institution. But the wardrobe was not in any full sense an institution till the early thirteenth century. It only existed as a place, and both as a place and an institution, so far as it was becoming one, it was subordinated to, and included in, the chamber. Yet the continental equivalent to it, the *vestiarium*, though equally closely related to the *camera*, was sometimes to a limited extent an institution in much earlier times.[1]

It has been, perhaps, too usual to start with the households of the Carolingian emperors when describing the households of

[1] See Ducange, *Glossarium*, s.v. *Vestiarium*. See also later for the papal *vestiarium*, pp. 229-230.

the early English kings. Striking, however, as the points of similarity are, the points of difference between them are so numerous that it is dangerous to rely too much on continental analogies. It is enough for our purpose to know that among the highest officers of the Carolingian court was the king's *camerarius*, or chamberlain, who was assisted by a number of minor officials called *cubicularii*. In the Anglo-Saxon court there was no single great officer like the Carolingian chamberlain, but there was a group of royal servants entrusted with analogous duties who were sometimes called *cubicularii* or *camerarii*, as on the continent, and sometimes by the English terms of *burthegn*, *bedthegn* and *hrægelthegn*.[1] Of these numerous titles the last is of special importance to us, for it is equivalent to "keeper of the robes," or in more modern phrase, "keeper of the wardrobe." It first occurs about 955 in the will of king Edred, where that monarch leaves a large sum of money to each of his "legally appointed" *hrægelthegns* on terms which show that these officials were, with the seneschals or *discthegns* and the butlers, the most dignified groups of court functionaries.[2] That these various titles are all substantially equivalent seems to be absolutely established, and it is equally clear that their duties involved the charge, not only of the royal bed-chamber, but also of the royal wardrobe. How numerous the class was it is hard to say, but we know the names of three of the chamberlains under Edgar.

[1] The fullest information on the early English household is collected in L. M. Larson's *King's Household in England before the Norman Conquest* (Bulletin of the University of Wisconsin, Hist. Ser. vol. i. No. 2, 1904). See for the chamberlains, p. 124 and pp. 128-133. Kemble, *Saxons in England*, ii. 106-107, first collected the chief references. An acute summary of the definitely known facts is in R. L. Poole's *The Exchequer in the Twelfth Century*, pp. 22-26 (Oxford, 1912). I must here acknowledge the great help I have derived from revising what I had already written in this chapter in the light of Mr. Poole's admirably lucid and thorough treatise. For the Frankish chamberlain and "cubicularii," see Waitz, *D.V.G.* iii. 417, 419; Dahn, *Deutsche Geschichte*, i. ii. 617-618, and Viollet, i. 237-239.

[2] After bequeathing sums of money to his bishops and ealdormen, Edred goes on to leave "ælcan gesettan discthegne and gesettan hrægelthene, and gesettan biriele, hund eahtatig mancusa goldis" (*Liber de Hyda*, pp. 154-155, R.S.). See for *hrægel* and its compounds, *hrægelcist*, *hrægelhus*, *hrægeltalu*, *hrægelthegn* and *hrægelweard*, Bosworth-Toller's *Anglo-Saxon Dictionary*, s.v. The *hrægelthegn* was an officer of a monastery as well as of the court (Earle-Plummer, *Two Saxon Chronicles Parallel*, i. 263). In the twelfth century the form was *reilthein*. "Reil," as equivalent to robe, survives in "nightrail" as a synonym for nightdress.

Two of the *cubicularii* of Edmund Ironside were, according to William of Malmesbury, the murderers of that king, and the Domesday Book mentions three chamberlains of Edward the Confessor.[1] Nor were the chamberlains less numerous after the Norman Conquest. The Norman dukes had their *camera* as well as the English kings,[2] their *camerarii* and *cubicularii*, who perhaps represented more closely the Carolingian tradition. The combination of the two offices and officials account for there being recorded in Domesday five *camerarii* among the tenants in chief, besides seven others also mentioned by name.[3]

[1] Larson, p. 129, collects the evidence.

[2] Richard II., Duke of the Normans, gave two grants, one of £100, "de camera sua," to S. Bénigne of Dijon, and the other of "decimas monete nostre ex integro et decimas nostre camere" to Fécamp; Haskins, *Norman Institutions*, pp. 40-41 and 256-257, facsimile plate 3. Prof. Haskins is inclined to limit the jurisdiction of Duke Richard's "camera" to "any extraordinary or occasional addition to his treasure," but I am not quite sure that the words of the charter, which he quotes, necessarily involve this interpretation of their meaning. It is surely going too far to assume the existence in 1026 in Normandy of a rival revenue office to the "camera." The exclusion of the "fiscalis census," and "hae quae custumas antiquitus dicunt," from the payment of this tithe does not necessarily put these sources of revenue outside the cameral jurisdiction. In the absence of positive evidence it seems far safer to regard Richard's chamber as his single financial organisation.

[3] *Indexes to Domesday*, pp. 522 and 547 (folio). Some of these were doubtless not royal chamberlains; for we have also mentioned chamberlains of the queen, of the abbot of Peterborough and of Roger Bigod. Mr. H. W. C. Davis also enumerates twelve persons described as chamberlain under William I.; *Regesta regum Anglo-Normannorum*, i. pp. xxiv-xxvi. For the question as to whether there was a chief chamberlain at this date, see later, pp. 85-86.

SECTION II

The Chamber as the Treasury

It was an incident of the chamberlains' custody of the royal chamber and of the royal person, that these officers also had the charge of all the precious objects stowed for safety in the king's bedchamber. There was an old notion that a man's bedchamber was the safest place for locking up his treasure. Accordingly, both in the Frankish realm and in England the chamberlains were, among other things, the custodians of the king's treasure. In the Carolingian Empire the *camerarius* had replaced the Merovingian *thesaurarius* as keeper of the king's strong-box. Charles the Great himself kept his treasure and his money in his *camera*.[1] If the *thesaurarius* survived, he is hardly distinguishable from the *camerarius*, and the most probable view seems to be that the expressions are always synonymous.[2] A curious passage in the metrical biography of Edward the Confessor,[3] shows that on the eve of the Norman Conquest the English king still literally stored his money in his bedchamber, and that its official keeper was still the chamberlain. One day, when the king was resting in bed, Hugh, the chamberlain, went into the king's chamber and took out of the chest as much money as he wanted to pay for the current expenses of the household. In his haste Hugh forgot to shut the chest, and so gave an opportunity for a scullion of the royal kitchen to steal some of the treasure. Edifying details of the king's anxiety to save the scullion from the consequences of his crime emphasise the close connection of 'Hugelin" with the royal treasure.

In the narrative of the theft from the chamber, Hugh is called the king's chamberlain. When he attested charters, he

[1] "Descriptio atque divisio . . . a Karolo . . . de thesauris suis atque pecunia quae in illa die in camera eius inventa est"; Einhard, *Vita Karoli*, c. xxxiii. pp. 28-29, ed. in usum scholarum. Other things of price were kept in his "vestiarium" (*ib.* p. 29), that is his "wardrobe."

[2] Viollet, i. 237.

[3] Luard, *Lives of Edward the Confessor*, p. 53, R.S. Compare J. H. Round, *The King's Serjeants*, p. 121, and Mary Bateson, *Mediaeval England*, p. 7.

was described as royal *cubicularius* or bower-thegn.[1] In Domesday, however, Hugh is spoken of as one of King Edward's chamberlains.[2] His name suggests that he was one of the king's Frenchmen.

A late monastic chronicle describes the Confessor's *gazophilacium* or treasury, in terms almost incompatible with the notion that it was simply a strong-box, kept in a bedroom.[3] The source is suspect, for it is written in the language of the feudal age,[4] and there is nothing more usual than the attribution of later institutions to an earlier period than that which gave them birth. There is also in a late document an equally suspicious description of a royal hraegel-thegn as *thesaurarius*. Besides this a certain Henry, who owned lands in Winchester in the days of Edward the Confessor, is described in Domesday as "Henry the treasurer." Henry is not, however, spoken of as being treasurer in the Confessor's days. Accordingly we cannot venture to say that there existed before the Conquest any other royal treasury, or treasurer, than the chamber and the chamberlain.[5]

[1] Kemble, *Codex Diplomaticus*, iv. 24, 243.

[2] *Domesday Book*, i. 208.

[3] *Ramsey Chron.* p. 170-171, R.S. The Confessor ordered that documents relating to the Council of Reims of 1049 should be preserved "in gazophilacio, ubi quecunque habebat precipua et pretiosa erant deposita ab Hugelino, cubiculario suo." Mr. Larson first brought out these facts (p. 133).

[4] The Confessor had the proceedings drawn up in the form of an indenture, half of which was deposited in his treasury. The "chirographum," not yet technically an indenture, is found in Anglo-Saxon charters. It was common, as Léopold Delisle has shown, in the reign of Henry II.; *Recueil des actes de Henri II concernant la France*, Introduction, pp. 39-41, 1909.

[5] Mr. Poole, pp. 22-23, has collected the evidence, and I entirely accept his negative conclusion.

SECTION III

The Differentiation of the Treasury from the Chamber

Even in the later Anglo-Saxon period England had a financial system of a fairly advanced character. The national taxation, especially the general levying of geld, involved a financial organisation that must have put some strain upon the simple resources of the king's chamber. But it was the great development of taxation and administration after the Norman Conquest, which inevitably brought with it a considerable stiffening of the financial system of the old English kings. When national taxation, analogous in character to geld, was later imposed in other countries, the ruler's chamber still remained the sole office of finance,with developments suitable for meeting the increasing burden placed upon it. In England, however, the new need was but partially met by the development of the chamber, though under William I. there grew up a body of *ministri camere* who made the storehouse something approaching an administrative office. A new element was devised by the Norman rulers of England in the shape of a fresh organisation, which, though established as a supplement of the chamber, soon began to outstrip it. Henceforth, there is side by side with the *camera* the *thesaurus*. If at first the two institutions were almost identical, we soon pass beyond this stage, just as we pass beyond the early identity of *camera* and *garderoba*.

The *thesaurus*, or treasury, was, to begin with, a mere storehouse in some fixed place of the things which, though belonging to the chamber, could not be carried about in the constant wanderings of the court. The union of England and Normandy under the rule of a single energetic prince increased the range of the incessant perambulations that were physical and economic necessities to all early monarchs. The growth of an ordered system of centralised government, moreover, added enormously to the weight and number of the royal archives and other governmental apparatus. Accordingly it is after the Norman Conquest that we first have evidence of storehouses, called treasuries,

established in various English and Norman towns, notably Winchester, Rouen and Falaise. Before the end of the reign of William the Conqueror, we know that the treasury located at Winchester was established there in the king's castle in the upper, or westward, part of the town.[1] This soon became more than one simple storehouse out of several. It became *the* treasury, the centre of the royal financial system in England, just as Rouen became under Henry I. the seat of the chief Norman treasury. It was at Winchester that Domesday Book was compiled and preserved; so that it was officially called the "Book of Winchester."[2] For this organised office a specially skilled staff was assigned, and several royal officers had, by 1086, received in the grant of Hampshire manors substantial consideration for making Winchester their headquarters. Two of these are specially important for us. One of them is that "Henry the Treasurer," who was already possessed of property in Winchester before the Conquest, and the other is William Mauduit, Lord of Hartley Maudit, near Alton, and of Portchester. This William, though given no official title in Domesday Book, may well be the *Willelmus camerarius regis* of some contemporary charters.[3] William Mauduit clearly handed on to his sons and successors an office described within seventy years of Domesday as a *cameraria thesauri*.[4] We have some information as to the status of Henry

[1] The king's *madmehus* was at Winchester in 1087; Plummer-Earle, *Two Saxon Chronicles Parallel*, i. 222. In 1100 it was established within the castle; "ad arcem Guentoniae, ubi regalis thesaurus continebatur"; Ordericus Vitalis, iv. 87, ed. Le Prevost. Its keepers were "excubitores"; *ib.* p. 88. It was "ingens aerarium, ubi plures nummorum acervi . . . congesti sunt"; *ib.* p. 90.

[2] Round, *Vict. County Hist. Hampshire*, i. 399, brings out the relevant facts very conclusively.

[3] For instance, *Cartulary of Ramsey*, i. 148, R.S.; Armitage Robinson, *Gilbert Crispin*, p. 146. Among other chamberlains holding Hampshire lands in Domesday were Turstin, Humfrey and Herbert. See for them, Round, *V.C.H. Hampshire*, i. 425.

[4] J. H. Round, *Commune of London*, p. 82, prints a portion of a charter of 1153, in which the future Henry II. restores to William's younger son Robert "cameram meam thesauri . . . sicut pater suus illam cameram cum pertinentibus melius habuit." We owe to Mr. Round the absolute demonstration of the origin of the Mauduit chamberlainship. See, too, *V.C.H. Hampshire*, i. 32. But, as Prof. Haskins says, the later history of the Mauduit chamberlainship is still not entirely clear; Haskins, p. 113; see later, pp. 79, 91 95-96 and 101-102. We must not, however, think of it at this stage as a "chamberlainship of the exchequer," though Prof. Haskins (p. 113) incautiously employs the term for Henry I.'s reign.

the treasurer. He was, like the numerous chamberlains before and after the Conquest, a layman.[1] He is not indeed called "chamberlain," but we know so little about him that the argument from silence carries little weight. His case should not prevent us emphasising the fact that, in the generation after the Norman Conquest, the keepers of the treasury at Winchester, though often styled treasurers, were all chamberlains. Not all the chamberlains of the period, were, however, treasurers. The custody of the Winchester treasury was reserved to a limited number of trustworthy chamberlains.

The first officer described in contemporary records as both treasurer and chamberlain was named Herbert. He is perhaps the son of, and probably connected with, the Herbert, the chamberlain who held Hampshire lands at the date of the Domesday Book. He acted under William II., and for the greater part of Henry I.'s reign. Under Rufus he appears as *regis cubicularius et thesaurarius*.[2] In charters of the early years of Henry I., he is simply *camerarius*.[3] This continues to be his most usual designation. Moreover, chamberlain is his only name in the *Winchester Survey*, of which he was one of the directors. This is also his style in the numerous references to him in the pipe roll of 1129–30, before which date, though not much before it, he died.[4] However, a charter of the early reign of Henry I. called him "the king's treasurer of Winchester."[5] Hugh the Chantor, writing hardly a generation later, confirms this by speaking of him as "Herbert of Winchester, chamberlain and treasurer of King Henry."[6] To a precentor of York this Herbert is a northern worthy, and his connection with Yorkshire was emphasised when his younger son, William "Fitzherbert," became arch-

[1] *Liber de Winton*, p. 539, speaks of his wife. He was already dead when the Winchester Survey was compiled in the earlier half of Henry I.'s reign.

[2] *Abingdon Chronicle*, ii. 43.

[3] *Ib.* ii. 52; Armitage Robinson, *Gilbert Crispin*, pp. 141-155.

[4] *Liber de Winton*, pp. 531, 533, 534, 535, 536, 558; *Pipe, 31 Hen. I.* pp. 25, 32, 37, 104, 125. I infer that he was not long dead, because his son purchased in this year the livery of his father's estate; *ib.* p. 37.

[5] J. A. Robinson, *Gilbert Crispin*, p. 146. I do not know why Mr. H. W. C. Davis hesitates to accept this combination of functions; *Regesta*, i. xxv.

[6] Raine, *Historians of the Church of York*, ii. 223, R.S. John of Hexham in Symeon of Durham, ed. T. Arnold, ii. 317, R.S., confirms this statement.

bishop of York and a canonised saint. But for us the important fact is his well-proved position in the Winchester treasury, which is also further established by the fact that many of his lands, and also those of his wife and son-in-law, were in Hampshire.[1] Though we may trace his descendants' pedigree for many generations, and though his son and his grandson were chamberlains to Henry I. and Henry II., there is no proof of any hereditary or personal connection between Herbert's family and the treasury.[2] Under such circumstances it is tempting, though most unsafe, to conjecture that Herbert may have been the father of a traitorous chamberlain, called H. and perhaps named Henry, who conspired unsuccessfully under Henry I.[3] This plot of his trusted *familiaris* filled Henry I. with alarm, and could we only accept this guess, it may well explain why in the latter years of his reign two other royal chamberlains were entrusted with the keepership of his treasury. These were Geoffrey of Clinton and William of Pont de l'Arche.

Geoffrey of Clinton is called in a royal charter of Henry I. "my treasurer and chamberlain."[4] In one of his own charters

[1] *Pipe, 31 Hen. I.* p. 37.

[2] For the Fitzherbert pedigree, as usually accepted, see Eyton, *Shropshire*, vii. 148. But compare two corrections of it, W. Farrer, *Yorkshire Charters*, ii. 167 and vi., which are unfortunately contradictory to each other. Stephen Fitzherbert, chamberlain of Henry II., died in 1165, in which year his nephew and successor in office, Robert, also died without children. Further members of this branch of the family are not called chamberlains, though Robert's cousin Ralph Fitzstephen was. For the descent see also *Abbreviatio Placitorum*, p. 65 b., Rec. Com.

[3] Will. Malmesbury, *Gesta Regum*, ii. 642, E.H. Soc., gives no names but says "auctor earum fuit quidam cubicularius, plebeii generis patre sed pro regiorum thesaurorum custodia famosi nominis natus." Suger, *Vita Ludovici Grossi*, pp. 88-89, ed. Molinier, calls him "H. unus camerariorum et cubiculariorum." However, one MS. extends "H" to "Henricus." *Pipe, 31 Hen. I.* p. 37, shows that the chamberlain had a son named Herbert, but as this son received his father's lands, he is not likely to have been the traitor, though his elder brother may have been. Suger's description of the king's alarm at this domestic treason well illustrates the household tasks of the chamberlain: "Sepe lectum (rex) mutaret, sepe nocturno timore vigiles armatos multiplicaret, ante se dormientem scutum et gladium omni nocte constitui imperaret." Compare Will. Malmesbury, *Gesta Regum*, i. 376, which tells how a blind man went to court in the Confessor's days, and "vestibulum camere adversantibus cubicularii frustra diu trivit." In these passages "cubicularius" and "camerarius" are still identical.

[4] Dugdale's *Monasticon*, vi. 223. This charter is said to come from P.R. 13 Edw. IV. pt. ii. m. 17, but there is no such "inspeximus" entered in *C.P.R., 1467–77*, pp. 414-415—its appropriate place.

he describes himself as chamberlain, and in another, as treasurer.[1] Moreover, in 1129–30 he was still accounting *pro ministerio thesauri Wintonie*,[2] and is described as formerly associated with Robert Mauduit in the custody of the king's treasure in Normandy.[3] Clinton had many other employments under Henry I., and was conspicuous among the men of ignoble birth whom Henry raised out of the dust and exalted before earls and barons.[4]

William of Pont de l'Arche was almost as important a minister of Henry I. as was Clinton. In the earlier half of the reign we find him co-operating with Herbert the chamberlain and others in hearing the inquests on which the Winchester Survey was based. He appears on the pipe roll as sheriff of Hampshire, and as holding various other employments. For us the most significant of these is his tenure of a *ministerium camere curie*, an office which he shared to some extent with his brother Osbeit.[5] In 1129–30 he still owed a large sum to the king as the purchase money of this charge. Besides this, William accounted in the same roll for a thousand marks of silver with which he had bought the office of the recently deceased Robert Mauduit, and

[1] Dugdale's *Monasticon*, vi. 220, 221. These charters come from late copies, apparently of the seventeenth century. Here, too, the *Monasticon* reference to "Pat. Ric. II. pt. 3, m. 9" cannot be verified by reference to the C.P.R. The constant problem of authenticity compels the investigator of such early charters to express himself with great caution.

[2] *Pipe, 31 Hen. I.* p. 105, "et idem Gaufridus reddit compotum de ccc et x marcis argenti pro ministerio thesauri Wintonie."

[3] *Ib.* p. 37, "Gaufridus de Clinton debet ix *li.* et xi *s.* et viii *d.* pro defectu thesauri dum fuit cum Roberto Maledocto in Normannia." I have little hesitation in extending the "Maled" of the roll into "Maledocto." See later, p. 91, for an inference which may be drawn from this extension. Of course the king's treasurer might act wherever the king ruled, even when convenience required a special "treasurer" to keep the storehouses in Normandy. Haskins, pp. 106-110, shows there was a Norman treasurer as well as a Norman treasury from Henry I.'s time.

[4] Ordericus Vitalis, iv. 164, ed. Le Prevost. In 1130 Clinton was accused of perfidy to Henry I., but soon made his peace with the king; *ib.* iii. 404.

[5] *Pipe, 31 Hen. I.* p. 37, "Et idem vicecomes debet xii marcas auri et i unciam pro ministerio camere curie. Et ii marce auri pro ministerio camere curie ad opus Osberti fratris sui." It is safer not to say "the ministerium" of the "camera," for the association of the two brothers suggests a divided office, and others may have shared William's ministry. "Ministerium" does not necessarily mean anything very pretentious. Henry I. and II. spoke of the charge of the royal galley as "ministerium meum de esnecca mea"; Haskins, p. 121.

the hand of the former chamberlain's daughter.[1] This latter entry is sometimes interpreted to mean that the purchase made William a sort of hereditary chamberlain in right of his wife. Yet the grant to him did not prevent the continuance of the Mauduit chamberlainship, for we actually find William's wife's uncle, William Mauduit, still receiving moneys in the same year in the *camera curie*,[2] and in 1131 he is described as chamberlain in a charter.[3] Still later, though William Mauduit is not called a chamberlain in the *Constitutio Domus regis*, he is clearly still in the *camera*, receiving the respectable wage of thirteen pence a day and having the obligation, or privilege, of regularly taking his meals in the household.[4] This compulsory residence at court makes unlikely the possible explanation that Robert Mauduit's office had been the *ministerium*, or *cameraria*, *thesauri*. We are, moreover, pulled up here by our knowledge that the *ministerium thesauri* was in the hands of Geoffrey of Clinton, and that he too had recently been acting jointly with the deceased Robert Mauduit. Moreover, when two magnates were appointed by the king to audit the accounts of the treasury, it was William of Pont de l'Arche who accounted to them for it.[5] Stubbs did not therefore depart from his usual caution in describing William as treasurer.[6] Under these circumstances we are clearly unable to fasten down the custody of either treasury or *camera* to either the representatives of the Mauduit chamberlainship or to that of Geoffrey of Clinton. The line between the two *ministeria* was still extremely faintly drawn. If the *ministerium thesauri* was distinct from the *ministerium camere curie*, both offices were still administered by the little group

[1] *Pipe, 31 Hen. I.* p. 37, "Et idem vicecomes reddit compotum de mille marcis argenti pro ministerio et filia Roberti Maledocti."

[2] *Ib.* p. 134, "Willelmo Maledocto liberauit ad cameram curie." Compare for William, *ib.* pp. 38 and 41. He got his father's lands in Normandy, but not apparently in England. For some reason he was to some extent overshadowed by his niece's husband. However, his turn was to come. The relation of the two is based on a comparison of the above references with the charter to William of 1153. See later, pp. 91 and 95-96. It is not, however, without difficulties.

[3] Haskins, pp. 113 and 302. Prof. Haskins calls attention to the impossibility of William of Pont de l'Arche having simply acquired the office of Robert Mauduit.

[4] *R.B.E.* p. 811. He comes next after the master chamberlain.

[5] *Pipe, 31 Hen. I.* pp. 129-130. See also later note 2 on p. 82.

[6] Stubbs, *C.H.* i. 382.

of chamberlains who, though doing the king's work all over the country, still had their local connection with Winchester, and whose two chief representatives could still be indifferently called chamberlain and treasurer.

It is only less significant that William of Pont de l'Arche combined with his duties as chamberlain and treasurer the office of sheriff of Hampshire. The close connection of treasury officers with Hampshire and Winchester comes out even more strongly in the pipe roll of 1129–30 than it does in Domesday. It is under the head of Hampshire that the sheriff's obligation for the office of the *camera curie*, and Geoffrey of Clinton's debt *pro defectu thesauri* are recorded. Under the same heading too is entered William Mauduit's debt for his father's lands. Moreover William of Pont de l'Arche is a large, and Geoffrey of Clinton a considerable Hampshire landowner, while William Mauduit is a comparatively small one. Other chamberlains too, such as Adam the chamberlain, appear among the local landowners, relieved of the payment of taxes by reason of their service to the crown. Among these is *Nigellus nepos episcopi*, that is the nephew of bishop Roger of Salisbury, the justiciar.[1] Of this Nigel more will be said soon. At present it is enough to mention that he was already employed in conjunction with Osbert of Pont de l'Arche in the treasury of Normandy. Yet numerous as they are, the Hampshire entries do not set down fully the relations of that shire and the treasury. Geoffrey of Clinton accounts for the *ministerium thesauri* at Winchester under Warwickshire, another of his counties.[2]

The establishment of a treasury, largely located at Winchester, is the more significant since a parallel development in Normandy set up by the reign of Henry I. a Norman treasury, almost as closely related to Rouen as was the English treasury to the old royal city of the West Saxons.[3] This, too, was no mere storehouse, but an organised office, which received the ducal revenue every Michaelmas, and disbursed it to creditors of the state as directed by writ. Every analogy forbids us to imagine that the English treasury was borrowed from that of Normandy,

[1] *Pipe, 31 Hen. I.* pp. 37, 41, show the Hampshire relations of the treasury and chamber staffs.

[2] *Ib.* p. 105.

[3] See for this Haskins, pp. 107-110.

and allows us to suppose that the ultimate control of the finances of the Norman monarchy on both sides of the sea still remained with the king-duke and his household staff. And, despite the evidence of local establishments at Winchester and Rouen, it is abundantly clear that the two treasuries were closely interrelated. English revenue could be received in the Norman treasury, and either transmitted by accredited agents to England, or the payer acquitted of responsibility to the English office. Officers whose immediate attachment was to England acted in Normandy, and those known to be employed in Normandy had also jurisdiction in England. Closely connected with the growth of these treasuries is the increasing activity of the treasurers. And these treasurers soon cease to be merely chamberlains set apart to safeguard royal treasuries. They are no longer called indifferently chamberlains and treasurers; they are never called chamberlains at all. They are a new type altogether; they are no longer unlettered laymen, but clerks, competent to deal with the complexities of financial administration and accounting. In the steady evolution of clerical treasurers we see the clearest evidence of administrative progress and the consequent differentiation of the treasury and chamber. In Normandy, by the reign of Henry I., a clerical family was already in possession of the local treasurership as by hereditary right, and handed on the succession to it through six members of the clan during that single reign.[1] But the separation between the office of treasurer and chamberlain was not clearly worked out in the duchy even under Henry II.[2] In England a corresponding development can be obscurely traced in the career of Nigel, nephew of the great justiciar of Henry I., Roger, bishop of Salisbury, to which later reference will be made. It is of no small importance to us that, at a time when one chancery and one seal sufficed for the kingdom and the duchy, there were the beginnings of local boards of finance, both in England and

[1] Haskins, pp. 108-10, works out this very clearly. Unluckily his chief text, derived from the *Chronique de Sainte-Barbe-en-Auge*, ed. R. N. Sauvage (Caen, 1907), only dates from the end of the twelfth century. Its agreement with a charter of Stephen increases the weight of its testimony. These clerical chamberlains, handing on office from father to son, show that the clerical family of bishop Roger of Salisbury was not a unique phenomenon.

[2] *Ib.* p. 181.

Normandy. In this incipient localisation of office we may see the germ of the process which was to set up administrative units divorced from the trammels of the household, and ultimately to establish ministries of the kingdom side by side with the ministries of the court. In this Winchester treasury, too, there is the nucleus of an English administrative office, whose main field of action is England, and whose interest in Normandy is only occasional.

The Winchester treasury under Henry I. had far outgrown its original function as a storehouse. It received a large proportion of the national revenue in small sums, and disbursed it in issues of money to the creditors and pensioners of the crown.[1] It was administered by an important group of officials who had their official houses in Winchester, and their Hampshire manors. Their work involved elaborate accounts which were regularly audited by external auditors, chosen from among the magnates of the realm.[2] It may well have been that the complexity of these accounts was straining to the uttermost the capacity of the unlettered laymen who were responsible for them, and therefore requiring the introduction of a clerical element, such as is already represented by the quick-witted nephew of the powerful bishop Roger. Moreover, the treasury premises were extensive enough for general administrative and legal business to be transacted in them. A notable instance of this is the trial of an important lawsuit there, before numerous judges, in quite the early part of Henry I.'s reign.[3] In short, the Winchester treasury

[1] The numerous treasury receipts are recorded on nearly every page of the pipe roll. The payment of issues is convincingly shown in J. H. Round's *Commune of London*, pp. 80-81. The original evidence is in Round, *Calendar of Documents preserved in France*, pp. 354-355 and 508, the earliest being a grant of Henry I. to the abbey of Tiron of fifteen marks of silver a year, to be received "de thesauro meo in festo sancti Michaelis, Wintonie," which Mr. Round dates between 1114 and 1120. Such a grant is clearly different from a mere charge on local revenue in such grants as those "de firma Wintonie," p. 354, "de firma Londonie," p. 372, and "de firma Lincolnie," p. 507.

[2] *Pipe, 31 Hen. I.* pp. 129-130, proves that Robert, earl of Gloucester, and Brian Fitzcount had held the last audit of the accounts of the treasury, and that William of Pont de l'Arche was the accounting officer. Mr. Round first showed the vital importance of these passages; *Commune of London*, pp. 76-80. The audit by magnates still existed when the *Dialogus* was written.

[3] Poole, p. 34, and the authorities there quoted. The suit recorded in *Abingdon Chron.* ii. 115, was heard "apud Wintoniam in thesauro." The same authority, ii. 115, shows that the treasury was within the king's castle at

has become by this time the chief office of finance, in comparison with which its parent, the old-fashioned *camera curie*, was becoming relatively unimportant. It was perhaps that there now arose what Dr. Liebermann has acutely called "the pre-exchequer treasury court" which was capable of such systematic and organised effort as was involved in the Domesday Survey.[1] Therein, as Liebermann says, rested the essence of the financial system which was now growing up. An administrative board which could do such things as this was already in existence by 1085, and Dr. Liebermann is bold enough to identify this body with the Domesday commission. The connection of Domesday and the Winchester treasury does encourage this view. But, without going back so far, we may perhaps recognise in the administrative treasury of the succeeding generation both the child of the *camera* and the parent of the exchequer. However that may be, the historian of the chamber may well feel disposed to see both in the *ministri camere* and the *ministri thesauri* two vital elements in financial development. As we are not yet in the days of political specialisation, a financial office necessarily transacted much administrative and some judicial business. At least its permanent premises gave a convenient court for royal justices appointed to hold a trial.

The relations of the *camera* and *thesaurus* are more clearly brought home to us by the well-known *Constitutio Domus Regis*, which, written soon after the death of Henry I.,[2] describes the offices of the English court as they existed during that reign. It emphasises both the separate existence of the two offices and the constant overlapping that there was between them. Both alike were branches of the household, and subject to its officers. Both did the same work, and had the same chiefs. Both alike

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Winchester. It was already there in 1100; Ord. Vit. iv. 87. See also Round, *Feudal England*, pp. 142-143, where the date of the plea is shown to have been 1108–9, or 1111–13.

[1] Liebermann in *E.H.R.* xxviii. 153, points out that the essence of the exchequer was not the name nor the compotus, but the permanent board of royal officials constituting an administrative office which takes as its sphere the royal revenue as a whole.

[2] The "Constitutio Domus Regis" is printed in *R.B.E.* iii. 807-813, and in *B.B.E.* i. 341-359. "The text is in many parts faulty, but that of the Black Book is the better of the two"; Poole, p. 96. Internal evidence shows that it was composed after, but not long after, Henry I.'s death; *R.B.E.* p. 807. In 1299–1300 it was attributed to Henry II.; *L.Q.G.* p. 201.

accounted by tallies.[1] Yet there was growing up a real distinction between the chamber, which was still a mere branch of the itinerating household, and the treasury with its fixed establishment at Winchester. We have already seen what the treasury was; let us now examine the nature of the chamber.

In 1135 the *camera regis* was one of the subdivisions of the *domus regis*. In the strictest sense it still remained the royal bed-chamber, just as in the same rigid sense the king's wardrobe was the closet in which he hung his clothes. Thus, under the head of the chamber, we find recorded the extra wages of the *ostiarius camere* when he carried the king's bed about the country; the double allowance of food which supported the king's *aquarius*, or water-bearer, and the extra payments made to that officer when he had to draw an additional supply of water for the king's bath, or to dry the king's clothes when the sovereign was on a journey.[2] Even regarded from this narrow standpoint, the *camera* was, as Mr. Round well puts it, one of the great departments, and the kernel of the household system.[3] But already it was a great deal more than this. It no longer, indeed, safeguarded the whole of the king's treasure, but it was still the financial department of the household, "the privy purse," as Mr. Round well says, of the king.[4] As such it was called the *camera curie* and the "chamber of the court" now meant an office, distinct from the royal bedroom, in which affairs of state,

[1] "Debet (Magister Marescallus) habere dicas de donis et liberationibus quae fuerint de thesauro regis et de sua camera," *R.B.E.* p. 812. For the equivalence of "dica" and tally, see Hilary Jenkinson in *Proceedings of Society of Antiquaries*, second series, xxv. 29 (1913).

[2] "Portator lecti regis in domo comedet; et homini suo iii *ob.* et unum summarium cum liberatione sua." "Aquarius duplicem cibum, et quando rex iter agit, j *d.* ad pannos exsiccandos, et quando rex balneat iij *d.*, exceptis tribus annuis festis"; *R.B.E.* p. 811-812. By the reign of John the water-bearer was allowed twopence farthing for each extra bath of the king; see Cole's *Records*, p. 237. "Rogero Aquario . . . in balneis duobus ad opus regis infra eundem terminum, unde unum fuit apud Odiham, et reliquum apud Carliolum, iiij *d. ob.*" Whitsunday came within the term of this account, April 16 to August 3, 1212, so that assuming that king John took advantage of his free bath on the great festival, the inference forces itself on us that the king had only three baths in the 110 days of the account. In 1212 John was at Odiham, May 6-7, 10-12 and 30-31; he was at Guildford on Whitsunday, May 13, and at Carlisle between June 23 and 26.

[3] Round, *The King's Sergeants*, pp. 66-67. The *aula*, or hall, and the *camera* were the two great departments.

[4] *Ib.* p. 121.

and especially financial business, was transacted.[1] It was also already a *ministerium*, a rudely organised department, with its ministers and officers, and distinct from the *ministerium thesauri* at Winchester. It could, and did, receive payments which otherwise, and normally, would have been paid into the treasury. When a payment was made into the *camera curie*, the treasury clerks were content to record the fact and the acquittance of the payer. No account in the strict sense was due for payments into the *camera*.[2] In the same way gifts and *liberationes* were paid out of the chamber, just as they were paid out of the treasury.[3] Moreover the *camera curie* followed the court and had a definite home of its own assigned to it at each stage of the king's wanderings. This was a place where ministers met to transact business. In one of the few references to the Norman *camera* in the chronicles, William of Malmesbury tells us that Stephen arrested the great justiciar, Roger of Salisbury, on June 1139 in the *camera curie*, but adds that the seizure took place at Oxford.[4]

At the head of the chamber was the *magister camerarius*, a high court official of whom we have no trace in the roll of 1129–1130, though it is likely that he was already in existence. His liveries were equal to those of the *dapifer* and the *thesaurarius*, and only surpassed by those of the chancellor.[5] Of special interest to us is the peculiar relation of the treasurer to the chamber.

[1] *Pipe, 31 Henry I.* pp. 37, 134. In 1139 Roger of Salisbury was arrested by Stephen "in camera curie"; William of Malmesbury, *Historia Novella*, ii. 719. This was at Oxford. Had it been at Winchester, he would doubtless have been apprehended "in thesauro."

[2] *Pipe, 31 Hen. I.* p. 134, "Robertus de Monteforti . . . Willelmo Maledocto liberauit ad cameram curie lx *s* . . . *Et quietus est.*"

[3] "De donis et liberationibus que fuerint de thesauro regis et de sua camera"; *Constitutio Domus Regis* in *R.B.E.* p. 812. Round, *C.D.F.* p. 354, gives other instances.

[4] Will. Malmes. *Hist. Nov.* (as above). Madox, i. 264, says that the *camera curie* was "used in much the same sense with Palatium or Curia Regis." I should say that it meant a particular apartment of the royal dwelling rather than the palace as a whole.

[5] "Magister camerarius par est dapifero in liberatione"; *R.B.E.* p. 811. Cf. *ib.* p. 808, "dapiferi sicut cancellarius"; and p. 811, "thesaurarius ut magister camerarius." The allowances to the chancellor were higher, and he had five shillings a day wages. This was also possibly paid to the other officers, "si extra domum comederint," but they certainly had two shillings and sixpence only, "si intra." We must not unduly stress "magister" in relation to the chamberlainship. It need not mean more than "primus inter pares," and was a term freely employed to designate the heads of subordinate household departments.

The treasurer, says the *Constitutio Domus Regis*, has the same "livery" as the master chamberlain, "if he be at court, and serve as treasurer."[1] The phraseology is ambiguous, but it seems as if the treasurer were regarded as joint head of the chamber with the master chamberlain. It is, however, no longer looked upon as likely that he should be regularly resident at the *curia*. His main preoccupations are clearly becoming the custody of the treasure at Winchester, and the financial operations, including the audits, which they involved. It is, perhaps, unsafe to draw any inference from a doubtful reading, and "serve as treasurer" is only an alternative to "serve in the treasury." But what seems the better text, seems also to give the better sense. We are therefore perhaps justified in believing that what the *Constitutio* means is that the treasurer was only paid as a court officer when he was actually at court and serving as court treasurer, that is, as treasurer of the *camera curie*. The separation between *camera* and *thesaurus* was proceeding apace. As regards its headship, it was completed when, in the next generation, the final withdrawal of the treasurer from the *camera* made a chamberlain its sole head.

However this be, the evidence of the *Constitutio* is decisive for the existence of a single dignified official treasurer by the end of Henry I.'s reign. It is unlucky that the *Constitutio* does not give us the name of the treasurer who was acting at the time. Contemporary chroniclers tell us that William of Pont de l'Arche, who accounted for 31 Hen. III., remained "keeper of the treasures of king Henry" up to that monarch's death.[2] William of Malmesbury, indeed, speaks of him and bishop Roger of Salisbury as joint keepers of the treasury.[3] As, however, Roger's custody must be regarded as part of his vice-regal position as

[1] "Thesaurarius ut magister camerarius si in curia fuit et seruierit ut thesaurarius," *B.B.E.* i. 352. The *R.B.E.* p. 811, reads, "seruierit in thesauro." As to this text the editors of the *Oxford Dialogus*, p. 17, well say: "This seems to point to the separation between the 'camera curie' and the treasury which we find at the date of the *Dialogus*." Only the separation was not yet complete.

[2] *Gesta Stephani*, pp. 5-6 (E.H.S.), gives a full account of Stephen's seizure of the treasury in 1135. The treasurer is "Willelmus quidam, fidissimus thesaurorum regis Henrici custos et resignator." Bishop Henry of Winchester, Stephen's brother, bribed him, and inspired by "fear or love," "ditissimum regis Henrici aerarium, quod tota ex antiquissimis regibus Anglia copiose referserat, eius deliberationi, cum castello, contradidit." See above, pp. 79, 82.

[3] Will. Malmes. *Hist. Nov.* ii. 703, "custodes thesaurorum regalium."

justiciar, this statement leaves William as the immediately responsible officer. When Stephen, immediately after he had seized the throne, went to Winchester to obtain possession of his uncle's treasury, he anticipated some little difficulty in overcoming the reluctance of William. The resistance, however, collapsed at once before the personal presence of the new king, and William had his reward in being continued in office as chamberlain. As chamberlain he witnessed charters of Stephen in 1136, and, going over to Matilda like most of his class, he attested her charters as chamberlain, sometime between 1144 and 1147.[1] I have found no instance of his being called a treasurer, even by implication, after 1135. He was the last of the lay magnates who combined the offices of chamberlain and treasurer. Henceforth the treasurership is a purely clerical function, and has nothing directly to do with the chamber.

With this complete separation of treasury and chamber, our special interest in the treasury is at an end. It may not, however, be out of place to indicate briefly the beginnings of the process by which the treasury passed into clerical control. It was, as we have seen, the inevitable result of the increasing difficulty and complexity of the financial system of the crown. We have seen the beginnings of it already in the supervision of the treasury exercised by Roger of Salisbury, and in the operations of his nephew Nigel in 1129–30. It is probable that Roger gradually found it convenient to hand over this work to his nephew, whose designation as treasurer in two Rouen charters shows that he might loosely be called "treasurer," just as the lay chamberlain was also loosely called by this name. But neither held an office like the treasurership of a later generation. There is then some difficulty in accepting the later exchequer tradition that Nigel ultimately became the treasurer of Henry I.[2] We may certainly hold that he became a treasurer to that monarch, and that his

[1] Round, *Geoffrey de Mandeville*, pp. 263, 264.

[2] *Dialogus*, pp. 96-97, calls him "illustris illius Anglorum regis Henrici primi thesaurarius." This testimony of Nigel's own son, and successor in office, ought to be conclusive, but Richard Fitzneal, as is well known, made some very bad mistakes as to the history of the exchequer before his own days. The *R.B.E.* p. 4, simply repeats the *Dialogus*. There is, however, contemporary evidence that Nigel was treasurer in two Rouen charters as witnessed by "Nigellus thesaurarius"; Round, *C.D.F.* p. 508 (No. 1388), and Haskins, p. 108, who points out that Nigel's duties were not confined to Normandy.

treasurership was not a chamberlainship, like the office of William of Pont de l'Arche. If credit can be given to the historian of the church of Ely, Nigel was made king's treasurer before he became bishop of Ely in 1133.[1] These statements are not confirmed by contemporary chronicles, though they are full of the deeds of Nigel as bishop. It is easy to imagine, however, that Roger and his nephew took advantage of the political situation to consolidate their power. It is possible even that Nigel was himself the dignified treasurer, equal in rank to the chancellor and master chamberlain described in the *Constitutio*. Yet we are here in the region of conjecture. As far as facts go, though Norman treasurers can be traced through the reign of Henry I., the continuous history of the office of English treasurer only begins when Nigel, appointed by Henry II. to restore the administrative system of his grandfather, after 1154, purchased the office of treasurer somewhere about 1159 for his son, Richard Fitzneal, afterwards bishop of London.[2] This famous administrator, writer and bishop, acted as treasurer for nearly forty years. During this long period the treasurership entirely acquired the characteristics which it retained for the rest of our period. By this time, however, the only surviving trace of the ancient connection of chamber and treasury was the association of two special chamberlains, ultimately called chamberlains of the exchequer, as the immediate subordinates of the treasurer in the administration of the exchequer, which had now taken the place of the Norman treasury, and was, much more than the clerical treasurership, the chief result of the application of Norman ideas to the English system of finance.

The *Constitutio Domus Regis* speaks of other chamberlains than the *magister camerarius*. Next after him comes William Mauduit, who is doubtless not called a chamberlain because everybody knew that he was one as well as we do,[3] with our knowledge that he did chamber work after 1130 and that Henry

[1] "Historia Eliensis" in Wharton, *Anglia Sacra*, i. 618-619.

[2] *Ib.* i. 627; *Dialogus*, I. viii. p. 97. The date of Richard's beginnings as treasurer under Henry II. is doubtful. There is a treasurer mentioned in every pipe roll on and after 2 Henry II., but he is first called "Ricardus thesaurarius" in *Pipe, 14 Hen. II.* p. 104. Richard was, however, certainly treasurer in 1165; Madox, *Formulare Anglicanum*, p. xix.

[3] See above, p. 79.

of Anjou restored to him, or to his son of the same name, the *cameraria thesauri* in 1153. Mauduit received thirteen pence a day, his meals in the household and various allowances.[1] Much better paid than William was a chamberlain who seemed to be acting as the deputy of the master chamberlain, and received two shillings a day and allowances.[2] Besides these three, there are a "chamberlain of the candle" and an indefinite number of chamberlains, who have the right of taking their meals in the household, if they receive no allowance of food.[3] The charters of Stephen's reign show that there were still several chamberlains, just as the pipe roll of 1129–30 mentions five chamberlains by name, even though it never designates as chamberlain the most important holders of the office.[4]

The *Constitutio* is as silent as to the name of the master chamberlain when Stephen succeeded Henry I., as it is as to the individuality of the treasurer. The probabilities are that the officer in question was Aubrey de Vere, an Essex magnate who was very active in the royal service in 1129–30 and attested two charters of Stephen as chamberlain at Easter 1136.[5] A well-known charter of Henry I., assigned by Mr. Round to 1133, confers on this personage "my master-chamberlainship of all England" in hereditary right.[6] This Aubrey died in 1141. Two charters of 1142, one of the empress Matilda and the other of her son, Henry of Anjou, confirmed to his son, Aubrey de Vere,

[1] *B.B.E.* i. 352.

[2] *Ib.* I can only interpret thus, "camerariusque vice sua seruit," for he cannot be the deputy of Mauduit and still less of the porter of the king's bed whose names are intercalated between this vice-chamberlain and the master chamberlain.

[3] *Ib.* 353, "Camerarii sine liberatione in domo comedent, si voluerint." I follow this reading rather than that of the *B.B.E.* p. 811, which puts chamberlain in the singular.

[4] Stephen's grant of the bishopric of Bath at Easter 1136 is attested by three chamberlains, Aubrey de Vere, William de Pont de l'Arche and Robert Fitzrichard; Round, *Geoffrey de Mandeville*, p. 263. *Pipe, 31 Hen. I.* seems to give the title of chamberlain to six royal officers—Aiulf, Herbert, Robert, Adam, "Ratson" and Richard (pp. 14, 25, 27, 41, 104 and 152). There are also non-royal chamberlains on pp. 65 and 145. The latter reference to "Willelmus qui fuit camerarius Londonie" may be supplemented by *Abingdon Chron.* ii. 128, "regis camerarius de Lundonia," and *Ramsey Cartulary*, i. 142, which further strengthens the evidence that the civic chamberlain of London had already begun under Henry I. This dignitary remains to this day the financial officer, or treasurer, of the city of London. See later, pp. 159-160.

[5] Round, *Geoffrey de Mandeville*, pp. 262-263. [6] *Ib.* p. 390.

first earl of Oxford, the office of the "chamberlainship of England." Though I cannot help regarding with suspicion such a phrase as "chamberlain of England" in the days of Henry I. and Stephen,[1] the testimony of the *Constitutio* makes it certain that

[1] The three charters in question are—1. The charter of Henry I., printed in Madox, i. 56, granting to the elder Aubrey and his heirs "*magistram camerariam meam totius Anglie* in feodo et hereditate . . . sicut Robertus Malet, vel aliquis alius ante eum vel post eum, unquam melius et liberius et honorificentius tenuit, cum liberationibus et hospiciis curie mee que ad ministerium camerarie pertinent." 2. The charter of Matilda confirming to Aubrey, made earl in the same charter, "*camerariam Anglie*, sicut pater eius, vel Robertus Malet, vel aliquis antecessorum suorum eam melius vel liberius tenuit," printed in Round, *Geoffrey de Mandeville*, pp. 180-183. 3. The charter of Henry, "rectus heres Anglie et Normannie," partly printed in *ib.* p. 186, and, with 2, printed fully in Vincent's *Discoverie of Errours in Brooks' Catalogue of Nobility*, pp. 397-399 (1619). These three charters pass muster with the experts on the Norman period, and it therefore seems highly rash not to accept them as authentic, in substance if not in form. Nevertheless, at least two historic doubts make me hesitate to follow them too implicitly. (1) All three are only known from seventeenth-century transcripts, though the second was confirmed in 1509; Round, *u.s.* pp. 179-180. Suspicion is increased by the source of all three, and, the sole source of two, being documents in the possession of the Vere family, or of their successors the Berties. (2) The phrase "cameraria Anglie," or "totius Anglie," seems somewhat questionable for the days of Henry I. and Stephen. We have, it is true, in 1155 a "camerarius Francie" mentioned in an act of Louis VII.; Luchaire, *Institutions monarchiques de la France (987–1180)*, ii. 319. But we shall see later on that it was not until the thirteenth century that in England the great hereditary household offices were differentiated in name from the parallel working offices which arose out of them. Certainly the only English chamber is "camera curie," and the only English chamberlains in authentic records for a good century after this are "camerarii regis" or "camerarii." Similarly the stewards are "of the king," or "of the king's household," until 1232–1255; Vernon Harcourt, *His Grace the Steward*, pp. 81, 121; M. Bateson, *Records of Leicester*, i. 46-48. It is the same with the marshalship, granted to William Marshal as "magistratum marescalcie curie nostre" in 1200, and referred back to Henry I.'s reign; *Rot. Cart.* p. 46. The style "marescallus Anglie" is applied to William Marshal, junior, in 1227; *P.R., 1225–1232*, p. 162. I cannot find that the office was granted under that name until the grant to Roger Bigod in 1246. Certainly the Bigods described themselves habitually as "marshals of England." In the face of these facts it seems curious that the chamberlainship should be called "of England," a century before the stewardship or marshalship received a similar territorial designation. The least we can assume is that some transcriber, more eager for the rights of the Veres than for historic truth, substituted "cameraria Anglie" for the more probable "cameraria regis." The real point is that most ministerial offices in the early twelfth century were not local but domestic. The men who helped the king to rule his empire as a whole were ministers of the king's household, not of England or Normandy or of both combined. Even the justiciar, who was not strictly a household officer, is only officially "justiciarius noster" until the thirteenth century, though the chroniclers, from Henry of Huntingdon to Benedict of Peterborough and Roger Howden, do not scruple to call him "justiciarius Angliae." Indeed, Aubrey de Vere's brother William, in his tractate "De Miraculis sancte Osythe," calls their father "justiciarius

the office of "master-chamberlain" really existed. Moreover, the fact that the text of the charters gives Vere the same rights over the chamberlainship that "Robert Malet" and his predecessors had, is evidence that the office is not regarded as a new one. The master-chamberlainship of Robert Malet, lord of Eye in Domesday, who fell in 1102 through his association with Robert of Bellême, has generally been admitted from the days of Dugdale to those of Mr. Round. It has been regarded as "proved" by these charters. But it is perhaps permissible to suggest that the proof depends on the correct extension by a late transcriber of an unknown abbreviation, which might perhaps stand equally well for Robert Mauduit.[1] However that may be, there is adequate evidence that both Aubrey de Veres acted as chamberlains, though in the charters attested by them in that capacity, they are always described as chamberlains, and never as chamberlains of England or master chamberlains.[2] Whatever be their correct title, it has no very direct bearing on our theme. Aubrey de Vere, made earl of Oxford in Matilda's charter of 1142, had not, either then or later, any vital relation with the working court department. His office does not seem to have been impugned when his patron, Henry of Anjou, restored the

totius Anglie"; Round, *Geoffrey de Mandeville*, p. 390. But this was before the office of justiciar had crystallised into a definite shape. It should be recognised that in 1234 a "chamberlain of wines" is called "camerarius Anglie"; *C.R., 1231–1234*, p. 386. But see also note 1, p. 111. (3) A third query as regards the chamberlainship of Robert Malet is discussed in the text.

[1] Mr. H. W. C. Davis, *Regesta*, i., xxv., considers that Mr. Round has proved that Robert Malet was "great chamberlain" under William I. I agree with him that Robert's not appearing in charters under his official title is not fatal to his claim. At much later dates it was characteristic of the chamberlains that they were seldom so described in charters. In the early fourteenth century, when the steward's title was always mentioned in charters, a chamberlain so powerful as Hugh le Despenser is never called chamberlain in them. My main doubt about Malet's chamberlainship was suggested by noticing that on *Pipe, 31 Hen. I.* p. 37, *P.R.* no. I. m. 4 pt. 1., the "Rob. Maled." of the roll probably means Robert Mauduit. My suggestion is that an abbreviated form, extended in the late transcripts of these charters into Malet, should rather be extended into Mauduit. If this guess could be proved, it would simplify the history of the early chamberlainship. That it is raised again shows the difficulties involved in working from modern transcripts, even when of proved authenticity. "Malet" on *ib.* pp. 5 and 67 is quite clear.

[2] See, for example, two charters of Stephen, dated Easter 1136, both attested by Aubrey as "camerarius"; Round, *Geoffrey de Mandeville*, pp. 262-263. Similarly in the Northamptonshire Survey, printed in Round, *Feudal England*, pp. 216, 220, Aubrey is "camerarius regis."

cameraria thesauri to William Mauduit in 1153. It maintained, however, a very shadowy existence until its recognition in 1236, on the occasion of the coronation of Eleanor of Provence.[1] There is no need to follow its fortunes further, since our concern is not with the ceremonial offices but with the working chamberlainships which slowly separated themselves from them.

[1] *R.B.E.* p. 759.

SECTION IV

The Differentiation of the Exchequer from the Chamber

While the differentiation between the chamber and the treasury was being slowly worked out, the situation was complicated by the appearance of a third financial organisation called the king's exchequer. The term *scaccarium* first occurs in England in a writ assigned to the period about 1115–18,[1] and it has been proved that there was an exchequer in Normandy by 1130.[2] And of more importance than the name is the thing, and there is, perhaps, good reason for believing that the thing existed, on both sides of the Channel, earlier than the name. With the beginning of this new development we must limit our field. To pursue in detail the early history of the exchequer would involve the examination of the whole of Norman finance, and such an excursion is the less necessary since the early exchequer has always been fortunate in its historians, from the time of Madox to our own days. Mr. Round has made clear for us the gradual process by which the exchequer grew out of and absorbed the treasury.[3] The final stages, however, were not worked out until the reign of Henry II. In the Norman period exchequer is still a rare word, and we still hear of little but the treasury. However, the adoption of the accounting method of the abacus, worked out on the chequered cloth, which gave the exchequer its name, had now supplemented, without superseding, the more primitive method of the tallies.[4] As a result the exchequer had acquired a sphere of its own and was rapidly becoming the chief accounting branch of the national financial system. Its separation from

[1] It is printed in Madox, i. 276. For its date see Poole, p. 39. See also a mandate of Henry I., of nearly the same date, in Robinson, *Gilbert Crispin*, p. 149.

[2] See J. H. Round, "Bernard, the King's Scribe," in *E.H.R.* xiv 426.

[3] Round, *Commune of London*, pp. 62-96, "The Origin of the Exchequer." Compare his *King's Sergeants and Officers of State*, pp. 112-123.

[4] Poole, pp. 43-58, sets out the genesis of the new accounting system in an extremely clear and convincing light. Mr. Poole agrees with Mr. Round that the introduction of the exchequer must "have been a definite act which operated at a definite date"; *Commune of London*, pp. 74-81. Haskins, p. 175, is inclined to put its introduction earlier than Poole.

the treasury is clearly indicated the first time its name occurs, for the writ of about 1115–18 is in substance a mandate from the treasury at Winchester, attested by the treasurer-chamberlain, Geoffrey de Clinton, and addressed to Roger of Salisbury and the barons of the exchequer. Moreover, it shows the treasury already relied upon the bishop and his "barons" to exercise coercive authority over a sheriff in relation to a payment of money. The association of Bishop Roger is particularly noteworthy since family and official tradition, expressed by his great-nephew, Richard Fitzneal, ascribed to the great justiciar, and to his nephew, Nigel of Ely, exceptional knowledge of the exchequer system, which was only natural in its founder and restorer.[1] It is pretty clear that the establishment of the exchequer, and the subordination of the treasury to the new development, was the work of Roger and his kinsfolk. Its effect was to transfer gradually all important financial and judicial business to the exchequer, and reduce the Winchester treasury to its original position of a storehouse.

For us the chief thing that matters is the relations of the exchequer to the *camera*. An immediate filiation can hardly be insisted upon, for the direct parent of the exchequer was the treasury. As the treasury sprang directly from the chamber, it would be truer to call the chamber the grandfather than the father of the exchequer. We must not, however, define too rigidly under conditions where strict definition is impossible. All these branches of the government service were hopelessly interlaced with one another. Nevertheless, the exchequer would have been very different from what it became, had not the chamber exercised the closest influence upon it. In particular we have to note that all the principal members of the exchequer were drawn from the staff of the *camera*.[2] At the exchequer they

[1] *Dialogus*, pp. 90, 96-97.

[2] In the Introduction to the Oxford edition of the *Dialogus*, pp. 18-24, Messrs. Hughes, Crump, and Johnson work out in detail the close connection of the "camera" and the exchequer. But minor officers were already in some cases directly appointed to the exchequer early in Henry II.'s reign. Delisle, *Recueil*, No. 64 *a*, prints a charter of 1156–8, in which Henry gives the office of usher of the exchequer to Roger de Warenguefort. The evidence adduced by Mr. Round and Mr. Poole for connecting the exchequer system of ferms and tallies with Anglo-Saxon times is another indication of the affiliation, direct or indirect, of the exchequer to the chamber.

might be called "barons," just as on the judicial side of the *curia regis* they might be called justices, but, by whatever names they went, they were in origin officers of the chamber. The treasurer and the chamberlain, the joint and equal heads of the chamber, become also, though on less equal terms, the official heads of the exchequer. It was natural, when we remember the reasons for the growth of the exchequer, that the clerical treasurer should soon stand out above the lay chamberlain as its sole head. The fitting subordination of hand to head made it inevitable that the perfected administrative system should be under clerical, that is to say under educated, direction.

Below the treasurer, but next to him, came the two chamberlains "of the exchequer," whose concentration on that sphere can be proved almost from the beginnings of Henry II.'s reign. Though William Mauduit's chamberlainship in 1153 still seems connected specially with the treasury, he handed on to his descendants, undoubted chamberlains of the exchequer, the traditions of an hereditary office that went back to Norman times. The second hereditary chamberlainship of the exchequer appears first in 1156, when Henry II. granted to Warin Fitzgerald an estate which made this office an hereditary sergeantry, as much as was the case with the Domesday sergeantry of the Mauduits.[1] In the *Dialogus* these two chamberlains are for all practical purposes acting as chamberlains of the exchequer. They are with the treasurer constantly engaged on exchequer affairs; the treasurer and chamberlains jointly receive writs of *liberate*, and pay out the sums indicated on them. And some, at least, of these *liberate* writs are inspired by the chamber and tested by chamber clerks.[2] Like the Veres themselves, the Mauduits

[1] Round, *Commune of London*, p. 83. "Terre date" to Warin at Sparsholt, Cricklade, and Highworth are recorded in *Pipe, 2 Hen. II.* pp. 34, 35 and 57. *Ib.* p. 65, shows Warin receiving money "in camera curie." Compare Introduction to *Dialogus*, p. 21, which shows that no connection can be traced between Warin Fitzgerald and Geoffrey de Clinton, who is sometimes regarded as his possible predecessor. In 1156 Warin and William Mauduit were the two acting chamberlains.

[2] Madox, i. 390, prints a writ of "liberate" of Henry II. addressed to Richard the Treasurer and William Mauduit and Warin Fitzgerald, his chamberlains, which is tested by William of Sainte-Mère-Église, who is known to have been a chamber clerk. The original of this writ is the earliest writ of "liberate" now preserved in the Public Record Office; Poole, p. 106. See also next chapter, pp. 152-155, and Ch. IV. p. 162.

and the Fitzgeralds were soon too great to discharge in person the duties of their office. But the sphere of their deputies was limited to the exchequer, just as the sphere of other chamberlainships was gradually limited to the household. The influence of the chamber on the exchequer comes out even more clearly in the fact that nearly all the minor offices of the exchequer were held by deputies of the treasurer and chamberlains.

Close as were the original ties between chamber and exchequer, the course of the two offices before long flowed in very different channels. One principal reason for this was that the exchequer, like the treasury, early became localised, while the *camera* proper continued to follow the court. Under Henry I., the exchequer was certainly not established, like the treasury, at Winchester.[1] We have no evidence, either in that reign or under Stephen, that the exchequer had any settled headquarters at all. It was indeed, hardly necessary that it should, since it only met at fixed periods of the year. Convenience, however, soon determined that these stated meetings should be at Michaelmas and Easter,[2] and that they should not be held where the court happened to be, but at a fixed place, generally at London. As early in the reign of Henry II. as 1156, London was already established as the usual place for the meeting of the exchequer.[3] In the *Dialogus* no place of meeting is mentioned, but it may be not unfairly assumed from the prologue that its normal meeting-place was on the banks of the Thames.[4] Before the end of the century the

[1] This is a safe inference from the writ in Madox, i. 276, already referred to above, p. 93, which is dated at Winchester. There would have been no need to write on treasury business from Winchester to the barons of the exchequer if the exchequer had been established there.

[2] Already under Henry I. Michaelmas was the period in Normandy "quando firme et pecunia mea colliguntur"; Haskins, p. 107.

[3] *Pipe, 2 Hen. II.* p. 2, has an entry of the payment of 56/8 under the head London, "ad reparationem domorum scaccarii." Compare Round, *Commune of London*, pp. 63-64, which draws attention to a passage in William Fitzstephen's life of Becket, which tells us that in 1164 John the Marshal was occupied in London at the exchequer. The passage in *Materials for the History of Thomas Becket*, iii. 51, runs: "Erat Johannes ille ... cum thesaurariis et caeteris fiscalis pecuniae et publici aeris receptoribus Londoniae ad quadrangulam tabulam quae dicitur calculis bicoloribus, vulgo scaccarium." The exchequer was at Westminster at Michaelmas 1165; Madox, *Formulare Anglicanum*, p. xv.

[4] *Dialogus*, p. 59. Exceptionally the exchequer met elsewhere, as it continued to do centuries later. Thus it was at Northampton in Mich. 1164 and at Winchester in 1170; Poole, p. 71.

"exchequer at London" is a phrase as well established as was that of the "treasury at Winchester" up to the middle of the century, and exchequer at London is soon still more precisely phrased as exchequer at Westminster. Bit by bit payments once made at Winchester were ordered to be payable from London.[1] Yet even after London had become the headquarters of the exchequer, a treasury still lingered on at Winchester, and, before and after each exchequer session, the *archa thesauri* was removed from Winchester to London and back to Winchester.[2] Until the end of John's reign there are frequent references to the Winchester treasury, though side by side with it there is now "our treasury at London," which more than once sent moneys to replenish the coffers of the Winchester treasury.[3] Both the Winchester and London treasuries were under the control of the treasurer and chamberlains of the exchequer. Yet so late as 1204 the king could still send to "the chamberlains who are at Winchester" an order to deliver moneys from "our treasury at Winchester."[4] The same end could, however, be attained by a writ to the treasurer and barons of the exchequer, who within a few days of this writ received an acknowledgment of a payment to the king made from the Winchester treasury.[5] Clearly the Winchester treasury was now under the control of the Westminster exchequer, and it is a pity that we cannot be sure whether the Winchester chamberlains of 1204 were the same persons as

[1] Round, *C.D.F.* p. 355, summarises a document of 1156–7, which makes a charge to the monks of Tiron, originally payable in 1114–20 from the treasury at Winchester, payable "from the king's treasury at his exchequer." The next phase is when the same sum is by a charter of Richard I. in 1189 payable "from his exchequer at London"; *ib.* p. 355. See also Round's *Introduction*, pp. xliii.-xlv., and the comments in Poole, p. 40, and Haskins, p. 106. There are other similar instances in Round, *C.D.F.* See also Hall's *Receipt Roll of 1185*, pp. 30, 31, which shows that in 1185 £4000 of a terminal receipt of £10,000 was "posita in thesauro Wintonie." The remnant "apud nos" (*i.e.* the exchequer officers) was "posita ad Templum apud Londonias." The Temple, not the exchequer, seems the "London treasury" so late as 1185.

[2] Poole, p. 72.

[3] For instance, *Rot. Lit. Claus., 1204–24*, pp. 88 *b*, 90 *b*, 118, 184 *b*, 461 and 484.

[4] *Ib.* p. 5. "Rex camerariis qui sunt apud Wintoniam salutem. Liberate de thesauro nostro Wintonie," August 10, 1204. This is the last suggestion of anything like separate custody, and even this is not a certain interpretation of the writ.

[5] *Ib.* p. 4.

the *camerarii de scaccario* specified as such in writs of 1200,[1] or as the "treasurer and chamberlain of London" mentioned in other writs of the same year.[2] As time goes on, the London treasury became the more important, and in the next reign it is constantly spoken of as the treasury of the exchequer.[3] If the treasury at Winchester still survived in the early years of Henry III., it was as a local office, whose custody was entrusted to the sheriff of Hampshire.[4] There were still many treasuries, and all treasuries were not treasuries of the exchequer.[5] Perhaps one element that brought the chief exchequer treasury to Westminster was the increasing part which the New Temple at London was now beginning to play as a royal treasury. It was inevitable, however, that the chief treasury of the exchequer must be established where the permanent administrative machinery of the office was concentrated. It is strange that administrative conservation should have kept the treasury at Winchester so long as it did. The last motive for such a policy, convenience of access to the continent, passed away with the loss of Normandy and Anjou. Anyhow, so far as exchequer treasuries concern us further, it will be the exchequer treasury at Westminster with which we have to do.

Thus the treasury, which had been an offshoot of the chamber, first became a dependency of the exchequer, and before long became absorbed in it. In the *Dialogus* the treasury, wherever it was, was entirely under the control of the exchequer. Both chamberlains and treasurer are "of the exchequer," in fact, if not in name. They control the treasury, whether at Winchester or elsewhere. They keep in it their cash, their archives, their rolls and writs, their warrants for payments, and all their other

[1] *Rot. de Liberate etc. regnante Johanni*, p. 8, "Rex . . . W. thesaurario et W. et R. camerariis de scaccario salutem." Compare *ib.* pp. 1 and 5. In most early writs the latter are called chamberlains simply.

[2] *Rot. de Liberate etc. regnante Johanni*, p. 25. Compare *ib.* p. 81. The form of the writs makes it certain that the chamberlains of the exchequer are meant.

[3] See, for instance, *P.R., 1216–25*, pp. 541; *ib., 1225–32*, pp. 40-41; *C.P.R., 1232–47*, p. 6.

[4] *Rot. Lit. Claus., 1204–24*, pp. 610 and 635. This was in 1224.

[5] Mr. Round in his Introduction to *Pipe, 28 Hen. II.* p. xxiv., points out the association between Henry II.'s activity in castle building with the increasing employment of castles for the custody of treasure. Thus there were a "domus thesauri" and iron-bound chests for storing treasure provided "in turri de Salisberia" (*ib.* p. 84), though Salisbury was so near to Winchester.

records, including Domesday Book itself, which had been called *Liber de Wintonia* and was now called *Liber de thesauro*.[1] Henceforth there is no treasury in the sense of a financial department until long after the middle ages.

With its absorption of the chief treasury, the exchequer, properly speaking, has now passed outside our sphere. If in later parts of the book we shall have frequent need to refer to it, the reasons will for the most part be outside its relations to the chamber. We shall have to keep the exchequer often in our minds, because it is the source of much of our information about the wardrobe, which we find always tendering its accounts to it. Exchequer records also will still throw an occasional light on the chamber which ultimately became unwillingly and intermittently accountable to the exchequer during the prolonged but more restricted existence which remained to it after bringing forth its mighty offspring. If sometimes, also, we shall have to deal with the exchequer for its own sake, we shall have as little to do with it as the fluidity of mediaeval administrative institutions allows. But until the very end of our period no government office has a precisely defined sphere, and one department can only be studied in relation to its fellows.

[1] *Dialogus*, p. 107, gives an interesting list of the types of exchequer archives preserved *in thesauro*.

SECTION V

The Chamber under Henry II.

The more minutely the institutional history of the twelfth century is studied, the more it has become evident that there are few elements of the administrative system of Henry II. which were not already in existence in the days of Henry I. What really differentiates the two reigns is the fact that the outlines, broadly sketched by the grandfather, were filled up in detail by his more powerful and resourceful grandson. For us, moreover, there is this essential difference between the two reigns. Our authorities for the period of Henry of Anjou are so much more complete than those for the history of Henry I., that we are always tempted to imagine that the things which we see darkly and fitfully under Henry I. vary much more than they really did from their later counterparts. In reality, perhaps, the facts were not so different as they seem. The true distinction is in the knowledge which we possess of the two periods.

So sweeping a generalisation must not be pressed too hard, but the historian of the chamber is tempted to make it because it is certainly true of the institution with which he is specially concerned. The chamber of Henry II. is much more fully known to us than the chamber of Henry I. It is, however, essentially the same institution. Certain new developments there were, especially towards the end of the reign, but the main new feature is that the process of differentiation between the chamber and its offshoots, the treasury and the exchequer, is now almost completely worked out. We can, therefore, study the chamber in isolation from allied administrative bodies in a way previously impossible.

Materials for this study are, fortunately, not lacking. But the most important for our purposes, the continuous series of pipe rolls, beginning in the second year of Henry II., and the invaluable *Dialogus de Scaccario*, are records of the exchequer. While they throw an almost continuous stream of light on the history of the exchequer, the light which they shed on the chamber is

very intermittent. Numerous as are the references in them to the *camera curie* and the *camera regis*, we may feel quite sure that it was only accidentally that the exchequer took any cognisance of specifically chamber business. It would be most rash to make the transactions recorded in the pipe rolls the measure of the magnitude of chamber operations. This is even the case with the financial side of the chamber work, which is naturally more fully illustrated in exchequer records. It is certainly much more true of the administrative side of the chamber. Nevertheless, from the pipe rolls and the *Dialogus*, supplemented by the increasing abundance of charters and chronicles, we can see something of every aspect of the chamber for the first time in its history.

The last stages in the separation between the chamber and the exchequer were worked out in the early years of Henry II.'s reign. The history of the *curia regis* and the exchequer shows that institutions might have a quite distinct existence, and yet might remain staffed by the same persons. As regards the chamber, however, we now find that it was not only a different organisation from the exchequer, but that it was now becoming worked by a different staff. The treasurership, held for nearly all Henry II.'s reign by Richard Fitzneal,[1] had now acquired its later permanent character. It was now a distinctively clerical office, and was admittedly the chief post in the exchequer, which, while also controlling the Winchester treasury, had nothing whatever to do with the chamber. More than that, two of the numerous chamberlains became definitely tied down to exchequer business. Since William Mauduit received in 1153 his regrant of the chamberlainship of the treasury, there is no evidence that he or his descendants had anything to do with the activities of the chamber. The Fitzgerald chamberlainship ceased to have any connection with the chamber after 1157,[2]

[1] Assuming that Richard was appointed treasurer about 1159 (see above, p. 88, note 2), he held office for nearly forty years, for he continued treasurer till his death in 1198. He is the reputed author of the *Dialogus*.

[2] Specific instances of payments to Warin Fitzgerald *in camera curie* are given in *Pipe, 2 Hen. II.* pp. 60, 65, and *3 Hen. II.* p. 91. I can find none later; but see Introduction to *Dialogus*, p. 21. Under Henry II. these chamberlainships were held by (1) William Mauduit, already mentioned, who was succeeded by his son, William Mauduit, in about 1158. (2) Warin Fitzgerald, who acted till 1161, and was followed by his brother, Henry, 1161–1174, and Henry's son, Warin Fitzhenry, after 1174.

and in 1163–4 is doing definitely exchequer work.[1] By the time the *Dialogus* was written, these two chamberlainships were, as in later times, in fact, if not in name, chamberlainships of the exchequer, and definitely subordinated to the treasurership. The earliest surviving writ of *liberate* issued by Henry II. was addressed to the treasurer and the two chamberlains, Mauduit and Fitzgerald, in exact conformity to later practice. Moreover, it was an order to pay a private benefaction of the king, and tested by the known clerk of the chamber at the time.[2] It was, therefore, in substance an order to the exchequer, to pay an obligation naturally returnable in the chamber. Clearer evidence of the separateness of the two institutions could hardly be desired.

To some extent the separation of exchequer and chamber was obscured by the fact that the two exchequer chamberlains are still generally described simply as the "king's chamberlains," and are, therefore, extremely liable to be confused with the other chamberlains of whom we shall soon have to speak. As a final evidence of the completeness of the separation, we have seen that, so early as 1156, the exchequer already held its sessions in London.[3]

The continuity of the chamber of Henry II. with that of Henry I. is clearly brought out by the prevalence all through the later reign of the practice of paying a portion of the royal revenue into the *camera* instead of into the treasury. There is not a pipe roll of the reign that does not bear testimony to the financial operations of the *camera curie*. From the beginning to the end of the reign, sums of money were recorded as being paid into the *camera* in obedience to royal writ, and in these cases the payer into the *camera* is acquitted of any obligation to the exchequer for the sums thus paid. The amounts paid vary to a remarkable degree at different periods of the reign. Sometimes for long periods they are very few; occasionally there are none for several years together. On the other hand there are times, alike at the beginning, the middle, and the latter part of the reign, when payments into the *camera* are exceedingly numerous, and

[1] *Pipe, 10 Hen. II.* p. 26.

[2] Madox, i. 390, prints the writ, which belongs to the end of the reign. For the witness, William of Sainte-Mère-Église, see later, pp. 117 and 142.

[3] See above, p. 96.

amount to a considerable aggregate. Moreover, the legitimacy of the practice is grudgingly but definitely recognised by such a zealot for the rights of the exchequer as the author of the *Dialogus de Scaccario*, himself the head of the exchequer system.[1] In the face of this, it would be rash to suggest that the irregularities I have noted in the pipe roll records of *camera* payments have any significance as indicating fluctuations in the activity or power of the chamber. It would be safer to account for them by assuming that the exchequer scribe only entered such payments when there would normally have been an obligation to pay them at the exchequer, or when the exchequer, for some special reason, thought it prudent to set down some chamber transaction in its records. Why the record varies so much at different periods, it is impossible even to suggest.[2]

It seems also very probable that many payments not specifically recorded as *in camera* were really so made. For instance, in

[1] *Dialogus*, ii. 3, c, p. 122, "Cum ex regis mandato vel in camera curie vel in operationibus, vel quibuslibet aliis firmam comitatus expenderit (vicecomes), si in debitis soluendis minus egisse deprehenditur, per fidem suam, ubi maiores decreuerint, detinebitur donec de hiis satisfiat, sicut de firma satisfacturus fuerat." There is, perhaps, some reluctance in this guarded admission by the men of the exchequer, of the legitimacy, within certain limits, of the "camera curie." We must remember, however, that the *Dialogus* is speaking of the sheriff's ferm, which was normally paid into the exchequer; the independent sources of the "camera" revenue would be beyond the exchequer's ken.

[2] Madox, i. 263-266, ed. 1769, collects numerous examples of payments into the "camera" under Henry II. and his sons. These are alone enough to refute the statement of Sir James Ramsay, *The Angevin Empire*, p. 251, that after 1 Henry II., "we do not seem to hear of any payments into chamber." The mistake is, however, natural enough since these payments, though fairly numerous from 2 to 5 Henry II., cease to be recorded in the pipe rolls between 6 and 10 Henry II. However, in 11 Henry II. there is a reversion to the older practice. In that year the roll records very numerous payments in the "camera," amounting to £744 : 3 : 8. Nevertheless between 12 and 20 Henry II. there are either none or very scanty payments to the "camera." Between 21 and 25 Henry II. there are numerous payments each year, averaging roughly about £300 per annum. For the last ten years of the reign 1179–1189, "camera" payments are infrequently recorded, but there are a few of them in most years. An excellent and detailed instance of these entries may be extracted from *26 Hen. II.* p. 38, "Abbatia de Ramesia. A magistro Waltero de Constantinis non est exigendus compotus de abbatia de Ramesia, vel de redditu, vel de perquisitionibus, vel de ullo exitu eiusdem abbatie, de tempore quo abbatia fuit in manu regis, et in custodia jam dicti Walteri, quia reddidit inde computum in camera regis per breue regis quod est in Wiltescira. Et quietus est." A similar order is given in *ib.* p. 122, with reference to Wilton Abbey, for which Walter of Coutances also accounted "in camera." He was, as we know, a chamber clerk. Those who had office in the "camera" naturally tended to account in it.

1175–6, the pipe roll mentions various Devonshire payments to Ralph Fitzstephen *in camera curie*.[1] Immediately afterwards it sets down other payments to Ralph by the sheriff, for which that officer is acquitted by the exchequer. Now Ralph for many years acted as chamberlain, and we shall see that the chamber was his special sphere of operations. I feel pretty sure, therefore, that such entries as these are really payments *in camera*. If this be so, we have evidence that Ralph's chamber receipts in this particular year were at least a third more than the sums recorded as paid to him in the chamber.[2] Sometimes, too, the rolls record numerous payments in kind, and the purchase of various articles made by the sheriffs for the use of the chamber, and allowed in due course by the exchequer.[3] To all these we must doubtless add strictly chamber receipts, the private accounts, so to say, of the king,[4] with which the exchequer had nothing to do, and of which we consequently know nothing.[5] It is clear, then, that already under Henry II. the chamber had become a "second treasury," just like the thirteenth century wardrobe. This double system is the more significant since it is abundantly clear that at this stage the chamber was not responsible to the exchequer and accounted to no one save the king.[6] Such payments to the chamber were personal to the king himself.

[1] *Pipe, 22 Hen. II.* p. 141. "Et in camera curie Radulfo filio Stephani xxx *m.* per breue regis . . . et Radulfo filio Stephani xxiij *l.* et xix *s.* et xj *d.* per breue regis quod attulit de c *l.* . . . Idem vicecomes reddit compotum . . . de firma maneriorum. In thesauro xv *l.* numero. Et Radulfo filio Stephani lxxvj *l.* et j *d.* per predictum breue. Et quietus est." This last is a particularly convincing entry. Such instances might be largely multiplied.

[2] In *Pipe, 22 Hen. II.* I have calculated that the total sum recorded as paid and accounted for in chamber is £356 : 10 : 4, of which £71 : 5 : 4 are credited to Ralph Fitzstephen. Besides this £127 : 13 : 4 are recorded as paid by accounting officers to Ralph, without any specific mention of the chamber.

[3] *Ib.* p. 11; allowance to sheriffs of London for purchase of two thousand pounds of wax delivered "in camera." *Ib.* p. 13; allowance to the same "pro harnasio in camera regis." *Ib.* p. 198; the same to sheriff of Hampshire, "pro xl ulnis de canevaz tinguendis ad cameram regis et aliis minutis apparatibus." Compare *ib. 20 Hen. II.* p. 10, *ib. 26 Hen. II.* p. 150, *ib. 27 Hen. II.* p. 160.

[4] That chamber payments are personal to the king is suggested by such phrases as "in camera curie ipsi regi"; *Pipe, 15 Hen.* II. p. 158.

[5] I base this inference on the fact that, as soon as we have wardrobe accounts in the thirteenth century, the wardrobe always has a considerable direct income of its own besides the sums paid into it by the exchequer.

[6] This is well illustrated by *Pipe, 23 Hen. II.* p. 187; "Et in camera curie xvij *l.* et xv *s.* et vij *d.* per breue regis quod attulit *de computando sibi* lxj *m.* et vj *d.*"

As regards the relative spheres of exchequer and *camera*, it is true, though not very helpful, to say that the exchequer was "going out of court," and so becoming a public and national department of finance, while the *camera* was the privy purse of the crown, and therefore necessarily itinerating with the king. That events tended in this direction must be admitted, and the *Dialogus* itself draws a distinction between *curia* and *scaccarium*,[1] which shows some consciousness of how things were moving. Nevertheless at this stage the court and the central administration were still almost synonymous, and the distinction between the public and private capacities of the sovereign was even more unthinkable in the twelfth century than in the thirteenth. Yet it is perhaps worth while to put together the various types of payments that were commonly made in the chamber, though we must not stress too much any results that we may obtain. Some points, however, are quite clear. Payments, which normally would have been made *in thesauro*, were frequently made *in camera* in obedience to royal writ. Even the sheriffs' ferm might, as we have seen, be divided between these two offices of receipt, though it was undoubtedly exceptional for it to go elsewhere than to the treasury.[2] Similarly there are a few instances of division of the proceeds of "aids" from towns between the treasury and the *camera*,[3] and also of the aid *pour fille marier*.[4] This was also the case with the ferm of royal castles,[5] and of particular manors,[6] and with fines or rents paid as an atonement for encroachments, or "an unjust disseisin."[7] Payments on account

[1] *Dialogus*, i. 5, d, p. 70, speaking of the chancellor, says, "sicut in curia, sic ad scaccarium magnus est." See also later, p. 142.

[2] See, for instance, notes 1 and 3, p. 104 above, from *Pipe, 22 Hen. II.* Other examples include *Pipe, 24 Hen. II.* p. 44, where the sheriff of Worcestershire pays £65 : 7s. "in thesauro," and 100 marks "in camera curie per breue regis"; *ib. 25 Hen. II.* p. 52, where the sheriff of Essex and Herts, who paid nothing, "in thesauro," paid £130 "in camera"; *ib. 26 Hen. II.* p. 130, a payment by the sheriff of Hants; *ib. 29 Hen. II.* p. 62, payment by sheriff of Linc.

[3] *Ib. 15 Hen. II.* p. 58, and *ib. 29 Hen. II.* p. 176, give two instances of such a division of the "auxilium ciuitatis Wintonie." Another is the equal division of the auxilium of Hastings; *ib. 23 Hen. II.* p. 192 : another in *ib. 12 Hen. II.* p. 97, from the "burgenses de Ponte Auene." Is this Pontaven in Brittany?

[4] *Ib. 17 Hen. II.* p. 134.

[5] *Ib. 22 Hen. II.* p. 99, where the two years' ferm of Tickhill is paid in the proportion of £85 : 5 : 0 to the chamber, £22 : 3 : 0 to the treasury.

[6] *Ib. 23 Hen. II.* p. 21, 188.

[7] *Ib.* p. 187, from the sheriff of Sussex, "de firma propresturarum"; *ib.* p. 191, "pro dissaisina iniusta."

of royal forests were often made to the chamber.[1] It was not unusual for the keepers of the temporalities of vacant bishoprics and abbeys to account *in camera*.[2] There are numerous instances of fines paid into the chamber, such as earl Hugh's fine of £1000 in 1165,[3] fines paid "for having the king's good will,"[4] for "permission to plead only in the king's court,"[5] and an interesting payment made to the king by two Jews for permission to hold their chattels in partnership, apparently for commercial purposes.[6] Again, we read of the chamber receiving a large proportion of a fine from Welsh chieftains, apparently as an atonement for some cattle raid.[7] It is impossible to bring under any head the division between *camera* and exchequer of a payment by the township of Leicester in respect to "two dead men,"[8] and of the payment into the chamber by the sheriff of Leicestershire from "the woad of the Flemings who are fugitives and were in Leicester castle."[9] Sometimes an account could be transferred from exchequer to *camera*. Thus, Emma, viscountess of Rouen, to whose important part in the fiscal history of the Norman capital Léopold Delisle has called attention, farmed the revenues of Southampton as well as those of Rouen. From 1158

[1] *Pipe, 20 Hen. II.* p. 52, "misericordia regis pro foresta sua"; *ib. 24 Hen. II.* p. 55, "pasnagium forestarum in Anglia," and *ib. 30 Hen. II.* pp. 92, 96, where Robert Fitstephen accounts for the "census" of the forests of Chippenham and Sherwood in the chamber.

[2] Instances are, Peterborough, *ib. 23 Hen. II.* p. 104, Ramsey and Wilton, *ib. 26 Hen. II.* pp. 38, 122. The passage about Ramsey is quoted above in note 2, p. 103. Compare *ib. 11 Hen. II.* p. 19, for St. Alban's, and *ib. 31 Hen. II.* p. 77, for St. Mary's, York. Some keepers of vacant sees accounted to the exchequer, for instance, the keepers of the archbishopric during the long vacancy in and after 1181–2.

[3] *Ib. 11 Hen. II.* p. 6. [4] *Ib. 25 Hen. II.* p. 31.

[5] *Ib.* p. 128, "ut non placitet de aliquo tenemento suo, nisi coram rege." The payment into chamber was ordered by royal writ. Compare p. 102 above.

[6] *Ib. 23 Hen. II.* p. 200, "ut rex concedat societatem inter eos de catallis suis." Iurnet of Norwich, one of the Jews, paid his fine at once into the chamber, but the other Isaac, son of the Rabbi, continued to owe his fine to the treasury until 1183–4, when he was relieved from the charge by writ; *ib. 30 Hen. II.* p. 141. Iurnet, also in *23 Hen. II.*, agreed to pay the king the large fine of two thousand marks "in transfretatione sua." Various instalments were paid "in thesauro," but four years later Iurnet paid on this account £240 "in camera"; *ib. 27 Hen. II.* p. 260.

[7] *Ib. 21 Hen. II.* 89, "Vicecomes (Herefordscire in Wallia) reddit compotum de fine Cadewallon et Enial Clut quem fecerunt cum rege de animalibus."

[8] *Ib. 23 Hen. II.* p. 29, "pro duobus mortuis."

[9] *Ib.* p. 29, "de weisda Flandrensium qui fugitivi sunt et fuerunt in castro Legercestrie."

to 1164 she piled up a debt to the exchequer which at last amounted to £1423 : 9 : 4. Then the ferm of Southampton was transferred to other hands, and in 1164 she rendered her account to the exchequer for that amount. No money, however, passed, and she was "attorned" by royal writ to answer for the debt *in cameram curie*. The pipe roll goes on to say *et amplius non exigetur ab ea per rotulos de scaccario*.[1]

If the majority of these entries are in the nature of things occasional, the pipe rolls afford striking evidence of the continuity of cameral direction in other cases. For instance, they show us the sometime chamber officer, Geoffrey the Monk, answering in the chamber, between the years 1166 and 1183, for a royal grant of land in King's Worthy, Hampshire.[2] With equal regularity the Lincolnshire accounts show the permanent responsibility of the holders of the lands of William Bradley to account in the chamber.[3] These two cases suggest the possibility of there being, in the twelfth century, royal manors, which regularly accounted in the chamber on the analogy of the chamber manors of the reigns of Edward II. and Edward III.[4]

The chamber was not only a place which received moneys and checked the accounts of officers specially accountable to the king in person. It also paid out money and purchased and received goods for the use of the royal household. The exchequer often recorded payments for the sumpters and other "business

[1] Delisle, *Recueil*, Introduction, pp. 214-218, collects the facts and the references to the pipe rolls as to "Emma vicecomitissa de Rotomago." The last extract is *Pipe, 11 Hen. II.* p. 45. M. Delisle misunderstands the process of the transference of the account. The entry simply means that Emma was then made answerable to the chamber, and that therefore her arrears were no longer to appear in the exchequer rolls. His suggestion that Emma's ferm had ended in bankruptcy and that the king ordered the exchequer to treat it as a bad debt is quite unnecessary. For Emma's other possible relations to the chamber, see later, pp. 111-112, note 8.

[2] *Ib. 13 Hen. II.* p. 175, is the first entry. It is repeated on nearly every pipe roll up to *29 Hen. II.* p. 140, "Et Galfrido monaco xv *l.* blancorum in Chinges wurda unde attornatus est in camera curie." I imagine the entry means that Geoffrey's account for King's Worthy was transferred from the exchequer to the chamber.

[3] From *Pipe, 17 Hen. II.* to *27 Hen. II.* there is this invariable entry under Lincolnshire: "Et in quietancia terre Willelmi de Bradelay lxviij *s.* et viij *d.* numero, unde atturnatus est in camera curie." In *Pipe, 28 Hen. II.* p. 50, the entry changes to "terre Radulfi de Bradelay," but is otherwise unaltered. It continues later in that form. I suppose that the sheriff was responsible in the chamber for Bradley's lands.

[4] See later, Vol. II. Ch. VIII. § 5, and Vol. III.

of the chamber,"[1] "for leather sacks, and other harness for the king's sumpters, and for other small affairs of the *camera curie*,"[2] for furniture, robes, plate, silk, furs and the like, delivered to the chamber.[3] Nor were its operations merely financial. Indeed our almost exclusive reliance upon the pipe rolls for information about the *camera*, may unconsciously lead us to stress too much the financial aspect of its work, with which the pipe rolls are alone concerned. We shall soon produce evidence that the chamber had its administrative as well as its financial side. Its officers, like other servants of the crown, could indifferently turn their hands to any business that happened to arise. So much work, worthy of being placed on record, was done by them, that we find that within ten years of Henry II.'s accession there was a "roll of the *camera*" as much as there were "rolls of the exchequer," and fully a generation before we have any evidence of the existence of "rolls of the chancery."[4] Indeed, the chamber was doing some of the work of the chancery as well as some of the work of the exchequer. We shall before long produce evidence that it is not impossible that the chamber under Henry II. had a seal of its own.

We know a good deal about the staffing of the chamber under Henry II., but we have little information as to its internal

[1] *Pipe, 18 Hen. II.* p. 79.

[2] *Ib. 20 Hen. II.* p. 10, "et pro balgis et alio harnesio summariorum regis et in aliis minutis negotiis camere curie."

[3] *Ib.* p. 50, "Et in robis domini regis quas liberauit (vicecomes Northants.) in camera curie"; *ib. 26 Hen. II.* p. 150, "Et Ædwardo Blundo ad emendum aurifrixium et sericum et res minutas ad cameram regis." Compare *ib. 27 Hen. II.* p. 160, and *ib. 28 Hen. II.* p. 159.

[4] "Willelmus de Casneto . . . fuit attornatus inde Isaac Judeo *per rotulum camere* et per rotulum archidiaconi"; *Pipe, 11 Hen. II.* p. 4; cf. *ib. 12 Hen. II.* p. 18. The "rotulus archidiaconi" probably means the special exchequer roll kept by Richard of Ilchester, archdeacon of Poitiers, afterwards bishop of Winchester; *Dialogus*, i. 5, b, p. 69, ii. 2, c, p. 117. For Richard's possible relation to the later "remembrancers of the exchequer," see Poole, pp. 119-122. Mr. Poole's suggestion is, however, rejected by Mr. Hilary Jenkinson in *Magna Carta Commemoration Essays*, pp. 254-8. We may guess that the "rotulus Ricardi Britonis" of *Pipe, 27 Hen. II.* (p. 9) was a chamber roll, for Richard was in *ib. 23 Hen. II.* (p. 163) a king's clerk receiving moneys in the chamber. There were still chamber rolls in 1215; *Rot. Lit. Pat., 1201–16*, p. 145. It may be accidental, but it may be significant, that the first reference to the roll of the chamber in 1163–4 coincides with the "camera curie" again becoming frequently mentioned in the pipe rolls after its practical disappearance since 1158–9. We are, in 1164, on the threshold of Henry II.'s great administrative reforms.

organisation. We do not even know clearly who were its working heads. We are quite certain that the state of things described in the *Constitutio Domus Regis* had passed away. Then the treasurer and master chamberlain were co-equal heads of the chamber, but now the treasurer had ceased to have anything to do with the chamber, and there is the scantiest evidence that there was any master-chamberlain at all under Henry II. It is true that Aubrey de Vere, first earl of Oxford, whom we have seen appointed by charter as master-chamberlain, lived until 1194. I cannot, however, find that he ever attested charters as chamberlain, nor have I ever found in the pipe rolls, or elsewhere, the faintest evidence which suggests that he had any official functions in the chamber. The next evidence that he and his successors continued to hold this office rests on the fact that his grandson, Hugh, earl of Oxford from 1221 to 1263, served in 1236 as chamberlain at the coronation of queen Eleanor of Provence.[1] Assuming that the Veres still held the office, it is certain that the habitual royal jealousy of earls, and the ineffectiveness of an hereditary magnate as a working court officer, must have made their control of the chamber almost nominal. Anyhow the great-grandson of the first *maior camerarius* was content to discharge his office as "keeper of the chamber" on great solemnities, such as the coronation of the king and queen. If we may thus rule out the Veres, we may still more decisively rule out the hereditary chamberlains of the houses of Mauduit and Fitzgerald, for both of these had become, after the first years of the reign, chamberlains of the exchequer, in fact if not in name.

Under Henry II., as in earlier days, there were two or three chamberlains acting at once, even if we exclude from our consideration the two chamberlains of the exchequer.[2] The pipe rolls give us evidence from time to time of various individuals

[1] *R.B.E.* p. 759, "Seruiuit . . . maior camerarius, videlicet, Hugo de Ver, comes Oxonie, ad quem spectat cameraria in regis coronatione et custodia camere et hostii." The formula suggests that the idea of the office included the custody, as well as the headship, of the chamber, but also that the formal grand-chamberlainship of later times had already come into existence. Hugh's son, earl Robert, 1263–1296, lost the chamberlainship through his adherence to Simon de Montfort. The office was restored to his grandson, John, the seventh earl, 1331–1360; *Rot. Parl.* ii. 397.

[2] In *Foedera*, i. 41, a charter giving lands to one chamberlain, Richard Rufus, is apparently attested by three other chamberlains, Ralph Fitzstephen, Ailward and Robert Mauduit, the "chamberlain of the exchequer."

who received payments into the *camera*. Some, but not all of these, are called chamberlains, the title being given frequently in a few cases, but occasionally in others. This variety of usage may be explained in two days. It was still by no means the custom to append official designations to the names of officers mentioned in the records. The name of chamberlain was still used in two somewhat different senses. Sometimes it indicated a definite office, given to one or two leading officials of the chamber. In other places chamberlain is used more loosely in the sense of any official, and especially any lay official, working in the chamber. Let us now in the light of these facts collect the evidence that we have as to the chamberlains and other chamber officers working in the chamber under Henry II.

In the pipe roll of 2 Henry II. three officers are mentioned by name as receiving moneys in the chamber.[1] Two of these are called chamberlains, and the third has no official title. Of the last, Geoffrey Monk, we will speak later. Of the two former, one, Warin Fitzgerald, we have dealt with already, and the other, Stephen the chamberlain, disappears from the rolls after 3 Henry II.[2] After this Stephen always speaks of himself as "son of Herbert the chamberlain," and never as chamberlain.[3] We may take it as certain that his father was that Herbert whom we have known as chamberlain of Henry I. He is not at all likely to be the same as the Stephen of Tours, who is mentioned in the fourth and fifth years as receiving moneys in the chamber, and who attested two charters both prior to 1163 as chamberlain.[4] However, Stephen of Tours soon disappeared from the pipe rolls, though he, or his son of the same name, remained active

[1] *Pipe, 2 Hen. II.* pp. 18, 27, 29, 60, and 65.

[2] He is not likely to have been the same person as the Stephen the chamberlain of several later rolls of Henry II., for instance, *Pipe, 11 Hen. II.* pp. 38, 39; *ib. 13 Hen. II.* p. 41, and so on down to *ib. 24 Hen. II.* p. 4 and *ib. 27 Hen. II.* p. 57. This person is never called king's chamberlain, and is not mentioned in relation to the chamber, unless he be identical with the "Stephanus de camera" of *Pipe, 27 Hen. II.* p. 94; *ib. 28 Hen. II.* p. 184, and *ib. 29 Hen. II.* p. 126.

[3] This is the case even when Stephen is returning the knight's fees held by himself as his father's heir as a small "chamberlain's fee" in Yorkshire; Farrer, *Early Yorkshire Charters*, ii. 167 and 169. Mr. W. H. B. Bird, *ib.* p. vi., identifies his father with Herbert, chamberlain of the king of Scots, and not, as Eyton thought, with Herbert, chamberlain of Henry I.

[4] Delisle, *Recueil*, Introd. pp. 459-463, discusses these problems, and others arising from them.

in Henry II.'s continental dominions, notably as seneschal of Anjou.[1] It may be fairly assumed that the English Stephen the chamberlain was the father of two brothers, Ralph Fitzstephen and Eustace Fitzstephen, who were employed in Henry II.'s service for many subsequent years.

Of these two brothers Eustace is the less important. He is very occasionally called chamberlain,[2] and seems to have given some help to his brother in the discharge of his chamber business.[3] Ralph Fitzstephen is found as receiving money in the king's chamber from 1157 to at least 1184.[4] He also held high judicial posts, and was sheriff of Gloucester. As he did not die until John had been some years on the throne,[5] he must have been quite young when he began his chamber work. Unluckily he is very seldom described as chamberlain in the pipe rolls,[6] though he attested a good many charters as chamberlain between the years 1166 and 1186.[7] Of all the laymen acting in Henry II.'s chamber, he seems to have been the one who played the most prominent part in history.[8]

[1] See Round, *C.D.F.* p. 662, where the references to Stephen of Tours are indexed. See also the index to Eyton, *Itinerary of Henry II.* p. 315, where the royal chamberlains of Henry II.'s reign are carefully collected. Another local chamberlain is William of Tancarville, chamberlain of Normandy. He has no connection with Henry II.'s chamber. Yet his predecessor and namesake under Henry I. is called "chamberlain of England and Normandy"; Haskins, p. 112. There was more differentiation between the English and Norman officers of the crown than under Henry I. Our concern is with the household chamberlains only, whose jurisdiction was as widespread as that of Henry II.'s power.

[2] Eyton, p. 193 (1175), and possibly p. 290. The other references in Eyton do not call Eustace chamberlain, and he is never, I think, so called in the pipe rolls.

[3] *Pipe, 22 Hen. II.* p. 141.

[4] *Pipe, 3 Hen. II.* p. 90, records the first payment. Others are in *4 Hen. II.* p. 195; *5 Hen. II.* p. 63; *10 Hen. II.* pp. 5, 19, 20, 31; *11 Hen. II.* pp. 6, 7, 19, 31, 40, 53, 105, 110; *22 Hen. II.* p. 141; *23 Hen. II.* p. 105; *30 Hen. II.* pp. 92, 96.

[5] *Rot. Lit. Claus.* i. 9 shows that he was dead before Sept. 22, 1204. He left a widow and was therefore a layman. He was still alive in 1201–2.

[6] The only two instances I have noted are—(1) *Pipe, 13 Hen. II.* p. 132. He is not called *camerarius* in the pipe roll but in the chancellor's roll of the same year; (2) *ib. 24 Hen. II.* p. 59.

[7] Eyton, pp. 135, 192, 197, 203, 209, 218, 224, 242-245, 261, 263, summarises many of these charters.

[8] Foss, *Biographia Juridica*, p. 270, summarises his life, and regards William Fitzstephen, the biographer of St. Thomas, as his brother. Ralph certainly had a brother named William, a justice, and joint sheriff of Gloucester with him in 1171, and then his successor in that office. But the biographer of St. Thomas

After Ralph Fitzstephen the persons most often mentioned as receiving moneys in Henry II.'s chamber are Geoffrey Monk and Turpin. Geoffrey Monk's receipts range from 1155–6 to 1165–6.[1] The next year, 1166–7, the king granted him lands in King's Worthy in Hampshire, and from 1167–8 to the end of the reign each pipe roll records the fact that he was "attorned" to answer in the *camera curie* for these lands in King's Worthy, the annual value of which was £15.[2] Though acting for ten years in the chamber, I cannot find that Geoffrey was ever called chamberlain, and before Michaelmas 1165 he was appointed king's marshal.[3] Turpin's chamber receipts are limited to the years 1178–81.[4] He, too, is never called chamberlain either in pipe rolls or in charters, but the pipe rolls sometimes speak of him as "Turpin of the chamber."[5]

Other receivers of money in Henry II.'s chamber may now be briefly mentioned. A Ralph Waspail thus acted on one occasion in 1157–8;[6] William of Ostilli in 1164–5,[7] who may have been a kinsman of Durant of Ostilli, described as chamberlain in a charter of 1185;[8] and Robert de Vaux, who

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was a chancery official, "dictator in cancellaria eius," and is most unlikely to have blossomed into a sheriff. Delisle refuses to identify Fitzstephen the chamberlain (*Recueil*, Introd. p. 417) with the Ralph Fitzstephen who married Emma, viscountess of Rouen (*ib.* pp. 101 and 218), whose daughter Emma sold to Walter of Coutances her rights to a house at Rouen, which had belonged to Ralph. Both the connection of Emma the viscountess with the English "camera," to which she accounted for her ferm of Southampton (see above, p. 107, note 1), as well as the relations of Walter and Ralph the chamberlain as fellow-workers in the chamber makes such identification somewhat specious. Ralph the chamberlain married Maud, heiress of the barony of Caus, and this lady survived him; Dugdale, *Baronage*, i. 680; *Rotuli de Dominabus*, p. 1 d, with Round's note (Pipe Roll Soc.). Emma must have been a first wife, if the two Ralphs are not different persons.

[1] *Ib. 12 Hen. II.* p. 97. [2] See note 2 on p. 107 above.

[3] Madox, *Formulare Anglicanum*, p. xix; Eyton, p. 85. "Monachus" in his case seems to have been a true surname. In 1175–6 wines were received in the household "per visum W. de Insula et Galfridi Monachi, junioris"; *Pipe, 22 Hen. II.* p. 188. It looks as if the younger Geoffrey had succeeded his father in some court office.

[4] *Pipe, 25 Hen. II.* pp. 43, 101, 128; *ib. 26 Hen. II.* p. 130; *ib. 27 Hen. II.* p. 160.

[5] *Ib.* "in camera regis Turpino de camera." The William Turpin found acting in conjunction with the clerk of the chamber in 1187 (Eyton, p. 277), who witnessed charters in 1199 (Round, *C.D.F.* pp. 373-374), may probably have been his son. [6] *Pipe, 4 Hen. II.* p. 120.

[7] *Ib. 11 Hen. II.* pp. 31, 42. [8] Eyton, p. 261.

acted in 1178–9.[1] I cannot find that any of these were called chamberlain; in fact the only person styled chamberlain in the pipe rolls, who received money in the *camera*, besides Ralph Fitzstephen, was Aylward the chamberlain, who is called chamberlain in 1169–70, and received money under that title in 1171–2 and 1178–9.[2] We must not forget that among those receiving moneys in the chamber was Richard the Breton, king's clerk,[3] though we must speak of the clerical element in the chamber at a later stage of this section. *Camerarii* and *clerici* are, however, often spoken of in the pipe rolls as mutually exclusive categories.

As time went on, a clearer line began to be drawn between the *camerarii* and the inferior officers, or servants, of the chamber who are described simply as *de camera*. Some of these chamberlains cannot be proved to have been acting in the chamber; but as they certainly had nothing to do with the exchequer, it is impossible to fit them into any other part of the administrative machine. Such chamberlains include Robert Fitzherbert, who in 1155 was restored by charter to the chamberlainship of his father and grandfather.[4] He was an undoubted king's chamberlain, as was Richard Rufus, often simply called Richard the king's chamberlain, who was active from 1168–9 onwards.[5] There is no need to add to these names the numerous chamberlains whose service to the crown admits of doubts,[6] as our list is a long one.

[1] *Pipe, 25 Hen. II.* p. 31.

[2] *Ib. 16 Hen. II.* pp. 61, 111, 118, 128, and 162; *ib. 18 Hen. II.* p. 79, "Et Ailwardo camerario x *m.* ad negotia camere," and *ib. 25 Hen. II.* p. 43, "et Aylwardo, camerario regis, in camera curie." He attested as chamberlain a charter of about 1178; *Monasticon*, vi. 63. Ralph Fitzstephen also attested this charter as chamberlain.

[3] *Ib. 23 Hen. II.* p. 163, "et in camera curie Ricardo Britoni, clerico regis, xi *m.* per breue regis."

[4] Eyton, *Shropshire*, vii. 149-150. For Herbert's probable ancestors, see above, p. 77, note 2.

[5] *Pipe, 15 Hen. II.* p. 18, and *ib. 16 Hen. II.* p. 61, are the first references to him. He is mentioned in every subsequent pipe roll to *32 Hen. II.* and perhaps further. There is no doubt of the identity of Richard the chamberlain and Richard Rufus, since his name is recorded in both forms in relation to the Wiltshire lands granted to him by Henry II.; *Foedera*, i. 41. In 1177–1178 Richard Rufus, the chamberlain, accounted in the exchequer as keeper for the ferm of the honour of Berkhampstead; *Pipe, 24 Hen. II.* p. 37.

[6] The chief chamberlains are usefully collected under the heading *camerarii regis* in the index to Eyton, *Itinerary of Henry II.* p. 315. In Eyton's text will be found references to the pipe rolls and charters upon which the list is based.

In studying the chamberlains of Henry II.'s reign, two points at least are clear. The first is that there must have been two chamberlains whose main work was in the chamber. The analogy of the two chamberlains of the exchequer makes this not impossible, even if the attestation by two [1] or three [2] chamberlains of one charter were not a sufficient evidence of the fact. Another analogy that helps us is the undoubted fact that, until the end of the reign of Edward I., there were also two co-ordinate stewards as the lay heads of the royal household. There is nothing improbable, then, in there being two chamberlains who were gradually establishing themselves as the lay working heads of the king's chamber. The second chamberlain, we may imagine, took the place of the treasurer-chamberlain of the *Constitutio Domus regis* when that official went out of the chamber.

Our second point is that these chamberlainships were held by laymen and knights, that most, if not all, were hereditary, and that, like the two chamberlainships of the exchequer, they were connected with hereditary sergeantries of land. I have spoken already of Robert Fitzherbert, the son and grandson of Norman treasurer-chamberlains. An interesting charter, which may be dated about 1175, records a grant of Wiltshire land to the chamberlain Richard Rufus, to be held by Richard and his heirs by "the service of my chamberlainship." [3] It is curious that Richard already held some of the lands of which he was then enfeoffed. They were apparently regranted to him in sergeantry soon after he begins to appear prominently as a royal chamberlain.

Little need be said about the subordinate chamber offices, normally described by their Christian names with the addition "of the chamber." By the end of Henry II.'s reign they are apparently different from the chamberlains proper. Some of these

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Among the chamberlains mentioned in the pipe rolls are Hervey in *11 Hen. II.* p. 105; Gilbert, Elias, and Fargelega in *13 Hen. II.*; Robert Fitzaubrey, Gilbert, and Ralph in *14 Hen. II.*; Peter and Richard Fitzstephen in *15 Hen. II.*; William in *25 Hen. II.*, Sefred in *26 Hen. II.*, and Thomas in *31 and 32 Hen. II.*

[1] For instance that in *Monasticon*, vi. 64.

[2] For instance that in *Foedera*, i. 41.

[3] *Foedera*, i. 41. This is a grant to Richard Rufus, "my chamberlain," of "Immemere et Immedone et bosculum de Sende et domus quas idem Ricardus *habebat* apud Divisas . . . per servicium camerarie mee." In 1203 Richard's nephews still held those lands; *Rot. Ch.* pp. 107, 109.

men, such as Turpin *de camera* and Stephen *de camera*, we have mentioned already. To them may be added Richard,[1] Walter,[2] Reginald,[3] and, above all, *Radulfus Rufus de camera*,[4] who was probably a kinsman of Richard Rufus the chamberlain, and is himself called chamberlain from 1184–5. We have, too, Osbert *de camera* in 1175–6,[5] who is probably the same as Osbert *clericus de camera* of both earlier and later years.[6] Under Richard I. we have Simon "of the chamber," who is interesting because he is the first person who is described as *de camera* who was certainly a clerk, as before the end of the reign he became archdeacon of Wells.[7] Before dealing with this clerical element, we must notice other types of officers who, though not described as "of the chamber," seem actively engaged in chamber work. Typical of this group is Edward Blund, who, after 1166–7, occurs frequently on the pipe rolls, especially in relation to such things as the purchase of cloth, robes, harness, furniture and other things which a century later would have been described as falling within the province of the great wardrobe.[8] Often also both purchases of this description, and works carried out in royal castles and manors are described as being done "by the view of Edward Blund," who is often for this purpose associated with some other royal officer.[9]

Nothing shows the development of chamber organisation under Henry II. more clearly than the rise of a special class of "clerks of the chamber." The king's chamberlain was still a layman, a knight and a warrior. The conditions which, as we have seen, made it impossible for lay chamberlains to continue to act as treasurers made it equally out of the question for them

[1] *Pipe, 12 Hen. II.* p. 71.
[2] *Ib. 28 Hen. II.* p. 143.
[3] *Ib. 30 Hen. II.* p. 111.
[4] *Ib. 28 Hen. II.* p. 20; *ib. 29 Hen. II.* pp. 91, 126. But in *ib. 31 Hen. II.* p. 139 and *ib. 32 Hen. II.* pp. 27, 132, he has become "Radulfus camerarius" and "Radulfus Ruffus camerarius." In *ib. 31 Hen. II.* p. 182 there is "Radulfus de camera utlagatus." It is impossible to feel sure of one's ground amidst such a bewildering series of entries.
[5] *Ib. 22 Hen. II.* pp. 11, 12.
[6] *Ib. 18 Hen. III.* p. 87, and *24 Hen. II.* p. 106.
[7] Round, *Ancient Charters*, pp. 103, 109 (Pipe Roll Soc.).
[8] *Pipe, 13 Hen. II.* p. 9, *ib. 20 Hen. II.* p. 10, *26 Hen. II.* p. 150, *28 Hen. II.* p. 159.
[9] For instance in *ib. 13 Hen. II.* (p. 1) we have works undertaken "per visum Willelmi Magni et Ædwardi Blundi," and cloth bought "per Ædwardum Blundum et Aylwardum camerarium."

to be entrusted with the accounts of the chamber. Though the book-keeping and correspondence of the chamber were certainly simpler and less technical than those of the exchequer, they were sufficiently elaborate to require the services of the tonsured class. As in the exchequer, knights could only keep account by tallies, and could not write letters at all, for, as has been truly said, "as laymen they would be *ex officio* incapable of writing."[1] There was, therefore, an imperative need in the *camera* for a staff of experts in writing and finance. Accordingly we find that there arose a class of "clerks of the chamber," and these men, through their superior education and intelligence, gradually became the real directors of chamber policy. The chamber thus became a *camera clericorum*[2] as well as the *camera curie*.

We have already seen that there is some reason for believing that the chamber started a new period of activity about the year 1163–4. The year after that, 1164–5, we first have evidence that there was a roll of the chamber as well as a roll of the exchequer. In that same year we find *Radulfus clericus* acting with Geoffrey Monk in receiving moneys into the chamber.[3] Nine years later the pipe roll shows us *Radulfus, clericus camere*, crossing the channel with treasure about Aug. 15, 1174. With him went Walter of Coutances, William Picot, and Hugh, son of Hervey, *homines camere*.[4] In this Ralph we may see the first recorded "clerk of the chamber." It is interesting also to see that the chamber was the starting-point of the career of so great a personage as Master Walter of Coutances,

[1] Introduction to *Dialogus*, p. 21.

[2] *Pipe, 23 Hen. II.* p. 166, "Et in operatione *camere clericorum* in castello Wintonie xj *l.* per breue regis et per visum Geruasi filii Stigandi et Radulfi clerici." It is significant that Fleta, writing about 1290–3, still compares the "garderoba regis" with the "camera clericorum" of the French household finances, p. 78 (ed. 1689). See later, p. 172. It is possible, however, that the "camera clericorum" of *23 Hen. II.* is still only a place for the accommodation of all the household clerks. "Camera" still meant the king's private apartments as well as his household office. Large sums were being spent about this time in the erection of "camere regis"; *ib. 22 Hen. II.* p. 188, *ib. 23 Hen. II.* pp. 12, 198, *ib. 24 Hen. II.* p. 86. The queen also had her "camera"; *ib. 6 Hen. II.* p. 49, and *ib. 7 Hen. II.* p. 56.

[3] *Ib. 11 Hen. II.* p. 39.

[4] *Ib. 20 Hen. II.* p 135, "et in liberatione esnecce . . ., quando Radulfus, clericus camere, transfretauit cum thesauro circa assumpcionem sancte Marie, per breue regis. Et in liberatione nauis Roberti de Baiono . . ., quando transfretauit cum thesauro quem Walterus de Constantiis, et Willelmus Picot, et Hugo filius Heruei, homines camere, duxerunt."

a Cornishman by birth, despite his name, and already archdeacon of Oxford, who afterwards became bishop of Lincoln, archbishop of Rouen, and justiciar.[1] In 1180 he was still accounting in the chamber for the proceeds of the abbeys of Wilton and Ramsey.[2] Moreover, Walter is only the first of many famous men, who, both then and later, owed the beginnings of their greatness to the happy chance which brought them into close personal relation with the king as clerks of his chamber. Another conspicuous person among Henry II.'s chamber clerks was William of Sainte-Mère-Église, who acted from 1183 to the king's death.[3] Records and chronicles show William in constant attendance upon his master during the latter years of his reign, conveying his treasure, going on his missions, and witnessing royal mandates to the exchequer to pay moneys on chamber account.[4] Under Richard I. he became bishop of London, and during his long tenure of that see he showed that his close association with the *familia regis* had not deadened his zeal for the liberties of the church.

Royal clerks, not specifically called chamber clerks, could do chamber work. Thus in 1176–7 we read of Richard the Breton, king's clerk, receiving moneys in the chamber.[5] Four years later we learn that Richard was keeping a roll which we may conjecture to have been a roll of the chamber.[6] Even excluding such persons as Richard, there seems to have been more than one clerk of the chamber at the same time. Overlapping Ralph, "clerk of the chamber," is Osbert, "clerk of the chamber," who is found acting in that capacity between 1172 and 1178.[7] It is, perhaps, significant of the growing importance

[1] For him see Dr. Luard's article in *D.N.B.*, supplemented by L. Delisle, *Recueil*, Introd. pp. 106-113, and *Hist. Lit. de la France*, xvi. 535-560. Of his activities as "vice-chancellor" something will be said later.

[2] *Ib. 26 Hen. II.* pp. 38, 122.

[3] Eyton, pp. 253, 284, 293, 295. See also the life of William by Mrs. Tout in the *D.N.B.*, and later, pp. 142 and 162. Sainte-Mère-Église in the Cotentin was a demesne manor of the dukes of Normandy. It was already usual for the natives of the royal domain, on both sides of the channel, to be employed especially in the service of the chamber and court. Later it was even more common.

[4] Madox, i. 390, quotes a writ of *liberate*, which is this in effect.

[5] *Pipe, 23 Hen. II.* p. 163, "et in camera curie Ricardo Britoni, clerico regis, xl *m.* per breue regis."

[6] *Ib. 27 Hen. III.* p. 9.

[7] *Pipe, 18 Hen. II.* p. 87; Eyton, pp. 183, 186; *Pipe, 24 Hen. II.* p. 106. We may probably identify him with the "Master Osbert" engaged in *ib. 28 Hen. II.* p. 87, on works at Windsor Castle.

of the chamber clerks, that an entry in the pipe roll puts Osbert before the chamberlains.[1] Yet in other passages he is still simply described as *Osbertus de camera*.[2] In 1178, however, he was important enough to be sent on an embassy to the pope.[3] Chamber officers were always largely employed in diplomatic work, as, for instance, Walter of Coutances and William of Sainte-Mère-Église. We read, too, of Osbert crossing the sea with the king's treasurer, or meeting Henry on his return from a journey to replenish his empty coffers.[4]

At the very end of Henry II.'s reign, we have one of the few glimpses which the chroniclers allow us to have of the work of the chamber clerks of Henry II. in the long account which Gervase of Canterbury gives of the activity of *magister Osbernus, clericus noster de camera nostra*.[5] We have the authority of Léopold Delisle for identifying this Osbern with the chamber clerk Osbert already mentioned.[6] In a long narrative of one of the interminable disputes between the monks of Christ Church, Canterbury, and their archbishops, Gervase, himself a monk of the cathedral monastery, tells us how, in 1188, Master Osbern was sent with three bishops and an abbot to Christ Church to urge, on the king's behalf, that the chapter should abide by the arbitration of the king and bishops in the matters then in dispute. In debate with the monks Osbern produced royal letters, addressed to the sheriff of Kent, ordering the provision at the royal expense of the means of conveying a delegation of monks to the *curia*.[7] The whole incident is trivial, but it is sufficient to show how a chamber clerk took part in the ordinary business of governing. The evidence, which will be given later, of the close association of chamber clerks with the work of the chancellor's department, and in particular with his business of drafting and sealing writs,

[1] "Et Osberto, clerico de camera, et camerariis regis cc *li.* ad portandum cum rege quando rediit ab Hibernia, per breue regis"; *Pipe, 18 Hen. II.* p. 87.

[2] *Ib. 22 Hen. II.* pp. 11, 12.

[3] *Ib. 24 Hen. II.* p. 106, "et Goscelino, archidiacono Cycestrae, et Osberto, clerico de camera, et Waltero Map, quos rex misit ad dominum papam, lx *m.*"

[4] *Ib. 18 Hen. II.* p. 87, as above, note 3. Compare *ib. 20 Hen. II.* p. 135.

[5] Gervase of Canterbury, *Opera Historica*, i. 412 (R.S.).

[6] *Recueil*, Introd. pp. 408-409. There are other instances of the confusion of Osbern and Osbert; see H. W. C. Davis, *Regesta*, i. xvi.

[7] Gervase of Canterbury, *Opera Historica*, i. 418 (R.S.).

is another piece of evidence of their activity in general administrative work.

Such was the king's chamber in the reign of Henry II. On such lines the chamber continued to work during the reign of Richard I., for the unpublished later pipe rolls of Henry II. and Richard I. do not seem to show any further development other than those which have been illustrated already.[1] It is clear, however, that the chamber was now a solidly organised institution, competently staffed, vigorously administered and always likely to extend its functions. It is perhaps symptomatic of this development that its old name of *camera curie* becomes before the end of the century almost entirely displaced by the wider term of *camera regis*. One result of this process must certainly have been a tendency to bring the chamber into somewhat precarious relations with its mighty offshoot, the exchequer. As soon as the differentiation of the chamber and the exchequer is completed, the chamber, standing in intimate daily relations with the king, must sometimes have excited the jealousy of the younger, better organised and more conspicuous body. This rivalry was the more likely to arise since the exchequer was already proud of its methods and official tradition, rating the *constitute leges scaccarii* almost as high as the interests of the king himself.[2] Even royal pressure could hardly have prevented friction between a rigid body such as this, and an elastic institution such as the *camera*. And after Henry II.'s death the English administrative system long lacked the strong master who could tune every branch of it into absolute harmony with his will. It was on the eve of the break-up of the Angevin despotism that the new developments in the history of the chamber arose that we shall have to trace in the next chapter.

[1] I owe this fact to Mrs. J. F. Dobson, who, searching these rolls for another purpose, has kindly supplied me with extracts of the passages bearing on the *camera*. The roll of *1 Richard I.* was printed in 1844 by J. Hunter for the Record Commission.

[2] Speaking of the unity of aim of all members and branches of the exchequer, the *Dialogus* goes on, "unum tamen officium omnium est et intentio ut regis utilitati prospiciant, salua tamen equitate, secundum constitutas leges scaccarii"; *Dialogus*, i. 4, a, p. 66. One is tempted to compare this with what Edmund Burke said of the exchequer in 1780. "Death, indeed, domineers over everything but the forms of the exchequer. Over these he has no power. They are impassive and immortal"; "Speech on the Economical Reform" in Burke's *Works*, iii. 297 (1801).

CHAPTER IV

THE ORIGINS OF THE PRIVY SEAL AND WARDROBE

SECTION I

The King's Seal and Sealing as the Means of Authentication

In tracing the position of the chamber under Henry II., we saw that it was not simply the court department of finance, but that it also had an administrative aspect. Want of material made it impossible to illustrate the administrative work of the chamber in any detail; but it is clear, even then, that the chamber had to do with writing as well as with finance, and that there was a close connection between the chamber and the chancery. Luckily a fresh source of information begins in the reign of John with the chancery enrolments which are one of the greatest glories of our national archives. These enrolments are the record of a series of administrative acts, issued in letter form and authenticated by the king's seal. Of special interest for us, however, is the fact that the chancery enrolments testify to the fact that already, by the reign of John, the king had more than one seal for the purpose of issuing writs. He had a seal for the exchequer as well as the seal of the chancery. He had besides these a third, or small seal which was specially affected to chamber business. With the beginnings of a chamber seal, we are on the threshold of an important departure in chamber history. There is, however, a parallel new development, also first clearly discernible in John's reign, which is of even greater moment for us. Side by side with the appearance of the chamber seal, we have the first clear indications of the growth out of the chamber of a substantially new administrative department of the household, called the

wardrobe, which soon begins to usurp the work of the chamber, and to acquire, roughly speaking, a separate and independent position of its own. It is the object of the present chapter to put together what is known of these important new departures in administrative history. As a preliminary to this, let us briefly consider the circumstances under which the king's seal became part of the apparatus of administration, and how ultimately it became desirable that the single seal of the first seal-using kings should be duplicated and triplicated to meet the growing complexity of national organisation.

The multiplication of royal seals towards the end of the twelfth century was a result of the process, completed somewhat earlier, by which the apposition of a seal became for the greater part of Western Europe the most general method of proving the authenticity of all public and private documents. As far as England and northern France were concerned, the only way by which a man could validate his documentary acts was by sealing them with his seal. Elsewhere, notably in Italy, there was an alternative to sealing in the public notarial act, drawn up in rigidly formal fashion by a class of scribes styled notaries. These notaries, sometimes also called *tabelliones*, practised on their own account, but were authorised by emperors, popes, princes, bishops and towns in such a fashion that their acts were recognised as possessing a public and official character. Organised in corporations with a strong professional tradition, and a systematic training, the Italian notaries drew up most private and many public acts, which owed their validity partly to the technical form of their composition, and partly to the characteristic *signa*, or signs manual, affixed by each authorised notary with his own hand. These marks constituted evidence of authenticity corresponding to the seal of the north and west. During the period with which we are dealing, the notarial system was extended from Italy to southern France, where it became very firmly established. At an early date notaries began to win a footing in some parts of northern France, notably in the county of Flanders, and even in Normandy. Somewhat later, also, they began to establish themselves in Germany. But their influence in these regions remained restricted. When in the thirteenth century northern France began to establish its authority over

the south, sealed acts tended to replace notarial acts. Along with Gothic architecture, the *langue d'oil*, customary law and monarchical centralisation, authentication by seal was to the *langue d'oc* one of the many signs of the preponderance of northern influence. The triumph of the seal over the notarial act came out decidedly in the edict of 1291, in which Philip the Fair ordered that no credit was henceforth to be given to any notarial instrument unless it received the additional validation of an authentic seal.[1]

In England also the notarial system began to appear in the course of the thirteenth century, but it was always there an exotic and foreign custom, and notaries were never much employed, save in the drawing up of certain restricted types of diplomatic documents, and some sorts of private contracts of international character which perforce had to assume a form in which they were acceptable in lands where notarial acts were more usual than sealed documents.[2] As a result, England ever remained emphatically a land of seals, the employment of which became essential to the authentication of all public and private documents. It followed from this that every person of property or official position, down to the humblest, ultimately felt bound to provide himself with a seal. For us, however, it is more important that the immense development of administrative centralisation during the Angevin period resulted in an enormous demand upon the royal seal, and practically required its reduplication.

The continuous history of sealing in England only begins on the eve of the Norman conquest. Even on the continent the usage of signet seals, common all over the Roman empire, almost died away in the dark ages, when documents were validated by signatures, crosses of witnesses, and other marks or *signa*. Even when seals were employed, as they were by the Merovingian sovereigns, the subscription of the *referendarius*, who composed

[1] "Item quod instrumentis tabellionum institutorum et instituendorum per nos de cetero faciendis, fides non adhibeatur nisi sigillum authenticum in eis sit appensum"; *Ordonnances des Rois de France*, xi. 371. See the excellent summary of the history of public notaries in Giry, pp. 824-834; compare for the "seings manuels" of the notaries, *ib.* pp. 603-609.

[2] A good study of the position and influence of public notaries in mediaeval England would fill up an important gap in our instruments for studying administrative and legal history.

the document, seems to have been regarded as better evidence of its validity than its seal.[1] The revival of seals was, like the revival of the notarial system, a symptom of the Carolingian renascence, and by the tenth and eleventh centuries not only sovereigns, but every great baron and bishop had his seal. The seals of the Carolingian monarchs differ in type from the signet rings of antiquity.[2] Following their fashion, lay and ecclesiastical magnates, who had from early times had signets of their own, began also to use seals which were different in type from the ancient signet. During the eleventh century the use of seals as evidence of the validity of documents became so common that they gradually pushed into the background, and ultimately made obsolete, in all western lands, the earlier methods of attesting the authenticity of documents.[3]

As seals became more general, sovereigns felt more strongly the need of making their seals symbolise their supreme authority with all the clearness that contemporary art allowed. Then arose the type of seal, which was later called the "great seal," or "seal of majesty," in which the monarch was imaged on a stamp of considerable size, sitting in state on his throne, invested with the trappings of sovereignty.[4] In the empire we find the type developed by the reign of Henry II. (1002–1024). In France the royal seal assumed under Henry I. (1031–1060) the form which it was to retain as long as the monarchy lasted. In these very same years the so-called "seal of majesty" makes its first appearance in England in the seal of Edward the Con-

[1] This is the inference of H. Bresslau, *Urkundenlehre für Deutschland und Italien*, p. 517 (compare *ib.* p. 484), from Gregory of Tours, *Hist. Francorum*, x. xix. p. 443, ed. Omont and Collon. Compare Giry, pp. 708-709.

[2] For Carolingian seals see R. L. Poole, "The Seal and Monogram of Charles the Great," in *E.H.R.* xxxiv. 198-200 (1919). Charles introduced a new type of seal and revived the "monogram," whose origin seems to be the Byzantine *bulla*, a metal seal with two faces.

[3] A good summary account of the earlier marks of validation and of their supersession by seals is given in Giry, liv. iv. cap. viii. and ix. pp. 591-660. See also Bresslau, pp. 476-555, 9tes Capitel, "die rechtliche Beweiskraft der Urkunden."

[4] The use of "sigillum maiestatis" as a synonym for "great seal" is, as Bresslau, p. 947, points out, based on a misunderstanding of the meaning of that phrase. Originally "sigillum maiestatis" was equivalent to "sigillum celsitudinis nostre." It was simply a magniloquent way in which the chancery clerks described their master's dignity. It was therefore simply another phrase for "sigillum regium." There was no need as yet to distinguish between various types of royal seals.

fessor. But while the seals of the French kings continued until the reign of Louis VI. to be single-faced instruments, whose impression was stamped on the face of the document, the seal of St. Edward was a double-faced pendant seal, attached to the charter by strings or parchment slips, such as is not known to have been used by the kings of France before 1113.[1] It is in this that the chief step forward was made by St. Edward. He may well have borrowed the idea of sealing from Normandy, but the only ducal Norman seal known before his date was a single-faced seal, affixed to the charter.[2] It is much more likely that Edward's double seal was an imitation of the leaden *bulla* of two faces which had authenticated papal and Byzantine letters, at least since the seventh century.

The territorial magnates, eager to show that they too possessed public authority within their territories, imitated the example of popes, kings and emperors. The process by which such feudal seals arose is obscured by an atmosphere of fraud and ignorance which modern criticism has by no means succeeded in dispelling. Perhaps one of the earliest of the great feudatories of France who used a seal was the count of Flanders. It is largely believed that the seal of Arnulf the Old, affixed to a charter of 942, preserved at Ghent, is authentic,[3] and it is certain that count Baldwin of Lille used a seal in 1056.[4] In Normandy there is some evidence that Richard II., duke between 996 and 1026, had both a seal and a chancellor. A charter of that prince, in favour of the historian Dudo of Saint-Quentin, sometimes dated 1015, was written and subscribed by *Odo cancellarius*, and to it was affixed by cords a seal.[5] If the document is somewhat suspicious, there can be no doubt as to a charter to Fécamp, whose probable date is 1025. This contains among the witnesses the words

[1] W. H. Stevenson, *E.H.R.* xxvii. 4, brings this out clearly. The earliest known instance of the royal *sceau pendant* in France was in a charter of St. Victor of 1113; Luchaire, *Louis VI*, pp. 82-83 and 310. Under Louis VII. the *sceau pendant* had entirely superseded the *sceau plaqué*; Giry, p. 640. In Germany the double seal came into use much later.

[2] See later, p. 126, note 1.

[3] Giry, p. 637, gives a description of this seal by Professor Pirenne.

[4] Pirenne, "La Chancellerie et les Notaires des comtes de Flandre," in *Mélanges Julien Havet*, p. 735.

[5] It is printed in *Gallia Christiana*, xi. instrumenta, col. 284-285, and the seal rudely figured in *Nouveau Traité de Diplomatique*, v. 226. The cords, as Mr. Stevenson suggests, are suspicious at that date.

Hugo cancellarius scripsit et subscripsit. Moreover, in the final clause the duke declares that he has subscribed it with his hand and seal.[1] As a charter of duke Richard, dated 1006, has no seal and was written not by a chancellor but by Wido the notary at the duke's request,[2] it looks very much as if the Norman ducal seal came into existence between 1006 and the date of the two charters we have quoted. But it was little used or regarded for a good generation; some later charters of Richard, all the charters of duke Robert, and the pre-1066 charters of duke William agree in having no trace of seal or chancellor,[3] and it was not until after William had become king of the English that sealing became a usual method of authenticating Norman documents. The royal seal of William the Conqueror, two-faced like that of St. Edward, bore on its obverse an inscription referring to his English monarchy, and on its reverse one referring to his Norman duchy. This example was followed by his successors, who thus combined in one their regnal and ducal seals.[4]

[1] A photograph of this charter, now preserved in the Musée de la Bénédictine at Fécamp, is published by Haskins, facsimile 3; cf. *ib.* p. 256 for the probable date. The clause runs: "Haec autem praecepti cessio ut omni tempore firma maneat manu nostra et sigillo subnotamus." It had, it is said, still a seal in 1503, which must have been a one-faced "sceau plaqué." Dom Lenoir saw later the incisions at the base to receive the wax. In the light of this it looks unsafe to argue, as Professor Haskins seems to do, from negative evidence that William the Conqueror had no seal before he became king of England. But the specific reference to the *sigillum* in the Fécamp charter seems to have escaped his notice. Mr. Stevenson, *E.H.R.* xxvii. 4, makes no reference to this charter.

[2] Haskins, *loc. cit.* pp. 253-255, and facsimile 1.

[3] In the light of the charter of 1025, the foundation grant of the abbey of St. Mary *de voto* at Cherbourg, stated in a later document to have been confirmed by duke William's seal, does not seem necessarily to be rejected on that ground; Haskins, p 53, and *Gallia Christiana*, xi. instrum. col. 229.

[4] See, for instance, the inscriptions on Henry II.'s seals in Delisle, *Recueil*, Introd. pp. 234-235.

SECTION II

The Beginnings of the English Chancery

The establishment of royal seals involved the appointment of a special officer for their custody. Gradually this function was assigned to a personage called the chancellor. The office was humble enough in origin. The first known chancellors in Roman times were only ushers in a law court.[1] Already, however, by the Merovingian period the word "chancellor" is used as a synonym for *referendarius*, the ordinary name of the lay secretary who drew up, signed, sealed, and registered documents issued from the royal court. Under the Carolingians the office of king's chancellor was exclusively confined to the clerical class. Moreover, the term became limited to one individual, to that deputy of the arch-chaplain who was specially responsible for the redaction of documents. Under him was a staff of scribes, who, like their master, were now all clerks. If this was the case with secular monarchs, it was even more natural that magnates of the church should have their writing done by ecclesiastics. By the tenth century these clerical secretaries of bishops were also called chancellors.[2] Even earlier than this, the royal chancellor had become an important officer of the royal palace. By the eleventh century every potentate in church and state had his chancellor, and before long every chancellor seems to have acted as the general secretary of his master, being as such specially responsible for the custody of his seal.

The extension of the usage of seals from the continent to England was certainly the result of foreign influence in the days of Edward the Confessor. We hardly know enough to decide how far this influence filtered into England through Normandy. But its ultimate source may well have been the Carolingian household, and its immediate channel the con-

[1] For the early senses of the word "chancellor" see Bresslau, pp. 279-285.

[2] Giry, pp. 808-809, gives useful examples. In 944, the letter of an archbishop of Besançon was written and subscribed by his vice-chancellor. Ninth-century instances describe this officer by his hierarchical, not his personal status.

temporary adoption by the papal *curia* of the Carolingian secretarial system under a chancellor. The abandonment by non-resident and often transalpine popes of the old system of local Roman notaries in favour of a household secretariat under a personal papal secretary, called the chancellor, was completed, after 1049, by Leo IX.'s wholesale adoption of imperial secretarial methods.[1] As we know that St. Edward had a seal, and sealed writs with it,[2] it follows naturally that so dutiful a son of the church would have entrusted the custody of that seal to a chancellor. Though the positive evidence of the existence of a chancellor under Edward is so incomplete that it has failed to satisfy some scholars, the probability that the use of a seal involved the existence of a chancellor is so overwhelming, that it compensates for some weakness in the record of it.[3] Anyhow after the Conquest the chancellor was one of the regular officers of the English king's household, and all through the twelfth century he was gradually rising in importance.

In twelfth-century England, as elsewhere, the chancellor was, primarily and essentially, the keeper of the king's seal.[4] The

[1] A "cancellarius sacri palatii" is found in the papal "curia" in 1005, and Benedict IX. in 1037 had a "bibliothecarius et cancellarius sanctae sedis apostolicae." For these, and Leo IX.'s reforms, see Poole, *Papal Chancery*, pp. 59-67, and Bresslau, i. 191-194.

[2] Birch, *Seals in B.M.* i. 2-3, Douet D'Arcq. *Coll. de Sceaux*, iii. 261, No. 9997. For Edward's seal see Stevenson in *E.H.R.* xi. 732. The best early testimony to its use is in the *Anglo-Saxon Chronicle*, s.a. 1048: "Da com Sparhafoc abbot be wege to him mid þaes cynges ge-write and insegle"; Earle-Plummer, i. 172.

[3] The proof that Edward had a chancellor which satisfied Mr. Round, *Feudal England*, p. 421 *et seq.*, is pronounced insufficient by Mr. Poole, pp. 25-26.

[4] It has sometimes been doubted whether the early chancellors in England were keepers of the seal. Yet we have positive evidence to the fact as early as *Pipe, 31 Hen. I.* p. 140: "Et idem cancellarius (Galfridus) debet $\frac{\text{l}}{\text{m.}}$ $\frac{\text{l}}{\text{m.}}$ $\frac{\text{l}}{\text{m.}}$ et vj *li.* et xiij *s.* et iiij *d. pro sigillo.*" This large sum is most probably what remained of the purchase money with which Geoffrey had bought the chancellor's office. It is significant that the roll describes the debt as "for the seal" and not as "for the chancery." Accordingly it seems to me convincing proof that the custody of the seal, and the opportunities of making money by exacting fees for its use, were already the very essence of the chancellor's province. Even if the sum mentioned above be simply regarded, as Foss suggested, as dues of the seal, collected by Geoffrey as an incident of his office, not only his charge of the seal but also his accountability for it are demonstrated. But this doctrine of Foss (*Judges of England*, i. 82-85) is discounted by the largeness of the sum and by the im-

Carolingian system of making the chancellor not only keeper of the seal, but also the head of the chapel clerks, responsible for superintending the composition and writing of all royal charters,

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probability of the custom of the thirteenth century being already in vogue at this period. Even if it be accepted, it is irrelevant to this particular point. The significant thing is the correlation of chancellor and seal. Geoffrey seems to have been chancellor from 1123 to 1133 or 1135; Stubbs, *C.H.* ii. 382, 1891. Compare his life by Mr. C. L. Kingsford, under "Rufus, Geoffrey de," in the *D.N.B.* He was always high in the king's favour, as is shown by his retention of the chancery after he became bishop of Durham. It is most unlikely, therefore, that Henry ever withdrew from him the custody of the seal, especially as, so late as 1130, he was largely in debt to the king. I cannot, therefore, agree with the opinion of Mr. Poole, p. 111, even though it be supported by the authority of Mr. Round, *E.H.R.* xiv. pp. 418, 430, and, inferentially, by that of Mr. Haskins, pp. 119-120, that the normal keeper of the great seal in the latter part of Henry I.'s reign was "Robert de Sigillo." It is true that Robert was called by John of Hexham "cancellarius regis" (Simeon of Durham, ii. 308), and that he was occasionally called in charters "custos sigilli regis." But I believe with Stubbs that Robert was "a subordinate of the chancellor." Anyhow he attested charters that Geoffrey the chancellor attested also; Round in *E.H.R. u.s.* p. 422, and *C.D.F.* p. 508; Haskins, pp. 299, 303. He was, in fact, in the same position as his predecessor, Richard, described in the Continuation of Florence of Worcester (ii. 75, E.H.S.) as the "clericus de capella regis," "qui regii sigilli sub cancellario custos erat." A charter in which Robert de Sigillo is called "custos sigilli regis," which must be dated before 1124, is printed by Round in *E.H.R. u.s.* p. 428. Now Richard the keeper became bishop of Hereford in 1121, and Robert may therefore well have been his immediate successor as deputy for the chancellor. His name "de Sigillo" need not suggest more than that he was an officer of the seal department, or office of the chancery, and we know from the *Constitutio Domus Regis*, p. 807, that he was "magister scriptorii." The relations of this officer to the chancellor, and the responsibility of the chancellor for the custody of the seal, under Henry II. are stated with absolute clearness by William Fitzstephen, "Vita S. Thomae," in Robertson, *Materials for the History of Thomas Becket*, iii. 18. Robert was called "de Sigillo" almost as a surname, until his death in 1151, fifteen years after he had ceased to have anything to do with the chancery; see John of Hexham in Simeon of Durham, ii. 324, R.S. Compare note 4, pp. 131-132 later. Officials were often called from the name of the department with which they were connected. It was quite common, as we have seen, for inferior officers of the chamber to be distinguished from others of the same Christian name by being called "de camera," whence doubtless the common modern surname of "Chambers." Moreover there were other royal officials called "de sigillo," whom I cannot find described even as temporary keepers of the seal. A good instance is Nicholas "de sigillo," who occurs constantly in the early *pipe rolls* of Henry II. (*e.g.* in *ib. 2 Hen. II.* p. 35, and *ib. 8 Hen. II.* pp. 21, 35, 52), and was archdeacon of Huntingdon between 1155 and 1184; Eyton, *Itinerary of Henry II.*, pp. 27, 38, 51, 55, 57 and 176; Le Neve, *Fasti Ecclesiae Anglicanae*, ii. 48, ed. Hardy. Now Nicholas is called "de sigillo" at times when it is certain St. Thomas was acting as chancellor. It is impossible that he was independent of so masterful a personality. He was at the most a predecessor of the "vice-chancellors," such as we know existed, when needed, from Thomas's resignation of the chancery onwards. See later, pp. 133-135.

letters and rolls, only gradually established itself in England. There is no need why these two functions should necessarily be associated in the same hands. On the continent, especially among the lesser princes, the majority of early charters seem to have been drawn up at the monasteries in whose favour they were made,[1] and were only brought to the chancellor for sealing. Consequently their form followed few diplomatic rules, and the criteria for determining their authenticity were the more difficult to ascertain. It was only in a great organised system like that of the papacy or of the empire that there was the necessary machinery for this double process to be carried out from the first. But self-respecting princes were not long content with simply affixing their seals to documents, brought to them ready made for ratification. If their households lacked the trained secretarial staff that most episcopal and monastic households seem already to have possessed, they could at least adopt the methods of some church or religious house, distinguished for its care in the redaction of its charters. Thus the emperors found *ex officio* chancellors in the Rhenish archbishops, and thus also the counts of Flanders made the provosts of St. Donatian's at Bruges their *ex officio* chancellors. Gradually, however, these quasi-hereditary chancellors grouped round themselves a band of notaries, chaplains, and clerks serving in the court, to whom they delegated this laborious work. In the course of the twelfth century these Flemish notaries, sometimes laymen, gave way to the clerks and chaplains who were now well trained enough to form the permanent staff of the comital chancery.[2] This process was repeated in other lands, and soon the custom was generalised by which the clerks of the prince's chapel provided the organised writing office which drafted the documents which the chancellor had to seal. The chancellor himself became the natural head of such a corporation, though for a long time there was a certain

[1] Late survivals of this type include Henry II.'s charters to Savigni, *Recueil*, Introd. pp. 278-283. An interesting and still later instance is the charter of 1182 of Richard I., when count of Poitou, to Saint-Jean d'Orbetier, near Les Sables d'Olonne; *Archives hist. du Poitou*, vi. 6-10. I owe this reference to my pupil, Miss Hilda Prescott, who is collecting Richard's early acts.

[2] Pirenne in *Mélanges Julien Havet*, pp. 733-748 (1895). The provosts of St. Donatian's retained the title of Chancellors of Flanders till the eighteenth century

element of separation between the sealing and writing departments, thus brought together.

In England, even before the Norman Conquest, the drafting of charters was conducted in such methodical and orderly fashion that the country had little to learn from continental analogies. Long before the English kings had seals, their charters were drafted with adequate science and formality. When Edward the Confessor brought in a seal and a chancellor, he did not alter the former method of drafting documents. But he had not only a chancellor but a chancery, if not in name in reality.[1] From the Conqueror's time onwards the succession of chancellors, and to a certain extent the personnel of the clerks who worked under them, can be shown with a fair degree of precision.[2] Yet the fact that chancellors continued to attest as witnesses the charters of Anglo-Norman kings suggests that they were somewhat aloof from the clerical work of drafting.[3]

By the reign of Henry I. the charge of the seal and the superintendence of the composition of documents were demonstrably brought under the chancellor. We know that he had under him an organised writing office, or *scriptorium*, whose head, the *magister scriptorii*, drafted the documents which the chancellor had to seal. This chief clerk was consequently the head of his office staff, a person of great importance, and the natural deputy to the chancellor, when he was unable to keep the seal in person. Under Henry I. this post was held by Robert of the Seal, whom Henry regarded with such favour that, by 1135, he had raised him to the enormous wage of two shillings a day.[4] Under the

[1] This expression is borrowed from H. W. C. Davis, *Regesta*, i. xi-xv, "The Old English Chancery." Mr. W. H. Stevenson, in his "Old English Charter of William the Conqueror" in *E.H.R.* xi. 731-744, first clearly pointed out the indebtedness of the Norman kings to the precise and rigid technicalities of Old English diplomatic, and showed how the "writ charter" originated in Anglo-Saxon times. He entirely refuted the doctrine of English indebtedness to Normandy, upheld by Giry, p. 795. See also Haskins, pp. 53-54.

[2] Davis, pp. xvi-xxi, "The Chancellors of William I. and William II."

[3] See for this W. H. Stevenson, *u.s.* p. 732.

[4] *Constitutio Domus Regis*, in *R.B.E.* p. 805: "Magister scriptorii. Primo x *d.* in die; et j siminellum salatum; et dimidium sextarium de vino expensabili; et j grossam candelam et xij frustra candelarum. Sed rex Henricus creuit Robertum de Sigillo in tantum quod die mortis regis habebat ijs., et j sextarium vini expensabilis, et j siminellum salatum, et j cereolum, et xxiiij frustra candelarum." Robert's original tenpence is a greater wage than that of the ordinary knight of the household, who received eightpence. On

master of the writing office were not only royal chaplains, who were told off to write writs and rolls under his direction, but special scribes such as Bernard, the king's scribe, whose interesting career has been told to us by Mr. Round.[1]

Under Henry II. the history both of the chancellors and of the writing department which they controlled becomes much clearer, and has been admirably set forth by Delisle.[2] In his long reign of thirty-five years Henry II. had only three chancellors, Thomas, the future archbishop and saint (1154–1162), Ralph of Warneville (1173–1182), and Geoffrey the king's bastard son, afterwards archbishop of York (1182–1189). But the astonishing activity and high standards of drafting now attained by the English chancery made more necessary than ever the employment of a trained permanent staff of experts. Such in Thomas's time was his fellow-worker and most prominent helper, Geoffrey Ridel, with whom were associated other scribes such as Nicholas of the Seal.[3] Such, too, was Thomas's future biographer, William

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Stephen's accession, the faithful Robert abandoned the writing office to become a monk in Reading Abbey, the favourite foundation of Henry I. and the place of the king's burial. Six years later, he was taken from the cloister by Henry's daughter at the moment of her triumph, and raised to the bishopric of London; John of Hexham in Simeon of Durham, ii. 308, R.S.; *Cont. Flor. Wig.* ii. 131, E.H.S. He was bishop from 1141 to 1151, when he died, according to John of Hexham, of poison.

[1] "Bernard, the King's Scribe," in *E.H.R.* xiv. 417-430. The witnesses of the charters cited by Mr. Round give the clearest view of the complex personnel of Henry I.'s chancery. They include, besides the chancellor and Robert de Sigillo, the chancellor's chaplains and clerks, John and Gisulf "scriptores," several "seruientes capelle regis," persons described as "de domo cancellarii," "homo cancellarii," and "de capella regis." Even the sergeants were landed men, and quasi-official houses in Winchester and London seem necessary to the scriptor's position. Among these witnesses it is more tempting than safe to equate "Nigellus collector Winton." with "Nigellus nepos episcopi Salisburiensis," the future or actual treasurer. But the name is not uncommon, and this Nigel may have been a municipal official or another royal official of the same name.

[2] *Recueil*, Introd., especially pp. 88-113, "Les chanceliers de Henri II." Delisle omits to mention Henry's chancellors before he became English king. Compare Haskins, pp. 162, 191.

[3] *Recueil*, Introd. p. 92. Besides Geoffrey and Nicholas, Delisle enumerates Roger of Warwick, or Roger the chaplain, Gervase of Chichester, "clericus cancellarii," and Richard the scribe. A single charter, p. 93, is attested by "the chancellor (clearly Thomas, as Delisle shows), Geoffrey Ridel, William Martin, and Master Germain, my scribes, and also by Geoffrey the Englishman and Master Stephen of Fougères, my chaplains." All these were what a century later would have been called chancery clerks.

Fitzstephen, who describes himself as draftsman in his chancery.[1] To these must be added the increasing staff of scribes, clerks of the chapel and sergeants.[2]

The chancellor in those days was a person of so little official dignity that his normal ecclesiastical preferment was an archdeaconry. It was inevitable then that Thomas should resign the chancery on becoming archbishop of Canterbury, and it was only after Thomas had made the office great that his biographer and sometime subordinate describes the chancellor as *secundus a rege in regno*.[3] It is perhaps a sign that Henry II. was becoming jealous of a too powerful chancellor that Geoffrey Ridel, who succeeded to Thomas's functions, discharged the chancellor's duties without the name of chancellor from 1162 to 1173. He had his reward in the bishopric of Ely, and thereupon resigned the seal. The bestowal of the title of chancellor on Ralph, his successor, coincided with the king's reconciliation with the church for Thomas's murder.[4] But neither Ralph nor Geoffrey, the chancellors of the latter years of the reign, regularly discharged their duties in person. The former was unwilling to change his mode of life by constantly attending the court; and the latter was too eminent and too much absorbed in other affairs. Accordingly Master Walter of Coutances, who ultimately became a great personage, acted constantly in their stead as *sigillifer*, *sigillarius*, or *archisigillarius regis*, and periphrastically, if not formally, as *vicecancellarius regis*.[5] Besides this deputy

[1] "Vita S. Thomae" in Robertson, *Materials for Hist. Thomas Becket*, iii. 1, R.S.: "Fui in cancellaria eius dictator." "Dictator" may be simply a synonym for "scriptor," scribe. It suggests "dictamen," the art of technical composition. Robertson's translation, "remembrancer," is not happy (p. xiii).

[2] *Ib.* p. 29, "quinquaginta duos clericos cancellarius in obsequio suo habebat."

[3] *Ib.* p. 18. An interesting paragraph describing the chancellor's work by an old clerk who had shared in it.

[4] It is perhaps significant that the reconciliation of Henry with the pope at Avranches, the revival of the office of chancellor, and the assumption of the title "rex Dei gratia" on Henry's charters should all have taken place in 1172–3, within a few months of each other; *Recueil*, Introd. p. 32.

[5] *Recueil*, p. 108, collects these notices. "Sigillifer" comes from Benedict of Peterborough, i. 136. Diceto, i. 367, says that Ralph Warneville, when chancellor, did not change his somewhat private mode of life, "malens Waltero de Constantiis . . . vices in curia regis committere," rather than live constantly at great expense by the king's side. I do not find that he was expressly called vice-chancellor.

chancellor, there yet remained the *magister scriptorii*, where the successors of Robert and Nicholas of the Seal still directly superintended the composition of the writs which the chancellor, or his deputy, were to seal. This officer is probably represented by the *clericus qui preest scriptorio*, whose multitudinous labours, carefully described in the *Dialogus de Scaccario*, were by no means all concerned with the secretarial side of exchequer business.[1] Even in the exchequer he shared with the *clericus cancellarii* the writing business of that department, but, not long after the time of the *Dialogus*, seems to have abandoned his exchequer functions to this personage.[2] Later in the century, the officers who continued the work of the master of the *scriptorium* were more specifically limited to the chancery, and were called by the foreign title of *protonotarius*.[3] But the office remained the *scriptorium*, at least down to the reign of John.[4]

After Henry II.'s death the chancellor's office increased in dignity, so that Richard I.'s chancellor, William Longchamp (1189–1197), remained chancellor after he had become bishop of Ely, though he constantly suffered a vice-chancellor to keep the seal.[5] He was the first of the magnate chancellors who became firmly established under Richard and John, especially after Hubert Walter had combined for six years (1199–1205) the chancery with the archbishopric of Canterbury. These episcopal magnates waxed rich on the profits of the seal, but were too dignified and busy to do their work in person. So the vice-chancellor became the working officer. Now the vice-chancellor naturally tended to have a more permanent position than a clerk in the office, who was upon occasion its accidental and temporary guardian. This differentiation of the vice-chancellor and proto-notary under Richard I. showed that the custody of the seal was now too important a matter to be put

[1] *Dialogus*, i. 5, b, p. 69, and c, p. 77. The editors of the Oxford edition point out the wide general functions of this officer. But the exchequer correspondence alone was clearly very considerable.

[2] *Dialogus*, p. 16. For the *clericus cancellarii* see *ib.* i. 5, c, p. 69, i. 6, c, p. 83, and elsewhere.

[3] See a charter of 1199 in *Foedera*, i. 76.

[4] See *Rot. Ch.* p. 60 (1200), "Magister Stephanus de scriptorio domini regis habet litteras simplices de protectione."

[5] *Foedera*, p. 76, shows that there were regular fees, payable by recipients of charters, alike to the chancellor, the vice-chancellor, and the proto-notary.

into the hands of a mere head of the writing office. It is significant that the vice-chancellor now took precedence of the proto-notary and drew higher fees.

The growth of the chancery office naturally followed the increased dignity of its head. If before the Conquest the Anglo-Saxon "chancery" had little to learn from the Norman invaders, the development, under William I. and his successors, of a centralised administration, including both England and Normandy, set up such a writing and sealing department as could be paralleled nowhere on the continent, save in the papal *curia*. It was an institution neither English nor Norman, but common to the whole dominions of the Anglo-Norman house.[1] By the days of Henry I. it had a tradition, methods and personnel of its own. By the reign of Henry II. it had developed into the highly organised instrument of government, so faithfully described by Delisle. Long before this, it had evolved from Anglo-Saxon usage the "writ charter," which is recognised as the greatest contribution which England made to the diplomatic of the western world.[2] During Henry II.'s reign, it had begun to break up royal acts into three chief categories, which ultimately became distinguished by the methods by which the king's seal was applied to them as well as by their technical differences. The most formal types were the "charters" of a later age, with their pendant seals, impressed on strips of leather or threads of silk, retaining the list of witnesses, though minimising the pomposities of the solemn diplomas of a more rigid generation. These were now distinguished from writs which were issued with still less ceremonious verbiage, and later witnessed only by the king himself.[3] A further

[1] Haskins, p. 54, rightly reprobates Mr. H. W. C. Davis's "ill-advised phrase" of a "Norman Chancery." "There is," he says, "no reason for assuming more than one such bureau for William's dominions."

[2] For the writ-charter see in particular W. H. Stevenson, *E.H.R.* xi. 734-735, and *ib.* xxvii. 4-8.

[3] John speaks of the letters patent of Henry I. and II. and Richard I. (*Rot. Ch.* pp. 80-81, *Plac. Abbrev.* p. 65, *b*) as of a recognised form different from charters. Also the tariff of chancery "fees of the seal," drawn up at John's accession, assigns a much lower fee for "literae protectionis patentes" than that exacted for "charters" of any kind; *Foedera*, i. 76. But the distinction grew up slowly, and one characteristic feature of the non-charter writs, the letters patent and close of the thirteenth century, had not yet come into general use under Henry II. This is the formula "teste me ipso," a peculiarity of English diplomatic, as to the origin of which some doubt has existed. Mabillon

distinction was also arising among these informal writs, for during the reign of Henry II. "letters patent," with a

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(*De re diplomatica*, pp. 159-160) taught in the seventeenth century that it was first found in the royal charters of Richard I. Sir Thomas Hardy, after maintaining for a time that some acts of Henry II. were "teste me ipso," arrived in 1837 at a final doctrine, which agreed with that of Mabillon; Pref. to *Rot. Ch.* p. xxxi. L. Delisle, in *Recueil*, Introd. pp. 225-6, has recently revived Hardy's earlier view that some acts of Henry II. were thus witnessed. Mr. R. L. Poole, in *S.H.R.* xv. 359-360 (1918), has conclusively shown from Delisle himself, Haskins and Round that the nine charters, adduced by Delisle in support of his doctrine, are in every case suspicious, interpolated, or forged, and states that the formula does not occur in any one of the 300 surviving original acts of Henry II. The "teste me ipso" charter, attributed to David I. of Scotland (*ib.* xv. 265-268), and dated 1137, is from every point of view spurious. It looks, at the best, like a rather stupid adaptation of a thirteenth-century formula by a late transcriber. It is clear, however, that the question is not yet settled. Professor Tait has called my attention to an original charter of Hugh of Cyveiliog, earl of Chester, whose date is about 1162–1167, on which "teste me ipso" appears, many years before its employment in royal charters can be generally demonstrated. (Earl Hugh's charter is facsimiled in Warner and Ellis, *Facsimiles of Charters in the British Museum*, vol. i., William I. to Richard I., No. 51 (1903).) I am indebted to Rev. H. Salter for a photograph of an undoubtedly authentic writ of Henry II., dated before 1173 and witnessed "teste rege ipso" (*Canterbury Charters*, C. 8; *Bibl. de l'École des Chartes*, lxix. 565 (1908)). We, therefore, have two existing originals of Henry II.'s reign, and one an original act of that king, which do something to confirm Delisle's guess. Moreover, Miss H. Prescott has pointed out to me charters of Richard I., when he was simply count of Poitou, in which "teste me ipso" is used. The earliest is in 1179 (*Archives historiques de Saintonge*, vi. 11), the next in 1182 (*Arch. hist. de la Gironde*, xxvii. 58), and a third is undated (*Arch. hist. de Saintonge*, xii. 158). Unluckily these Ricardian charters are all from cartularies or late copies. It is interesting that Richard's three charters agree with that of earl Hugh in making the grantor the first of a string of witnesses. It is clearly a mark of genuineness, for the first stage in the process which made the grantor the sole witness of certain types of writs was to put him first of a number of witnesses. A later forger would not have known of this very temporary fashion, but would have written "teste me ipso" by itself, as in the case after the appearance of the formula in Richard's royal charters in 1189. Consequently we have sufficient instances to suggest that the new phrase was in the air, so to say, and to forbid us to be sure that the formula was in any of Delisle's cases evidence of falsification. A more detailed consideration of this problem will be found in a note which Miss Prescott is working up for the *English Historical Review*. It is curious that we should owe to Richard I. not only the "teste me ipso," but also the usual employment of dated charters. Under John, many documents, enrolled on the charter rolls, are "teste me ipso" (e.g. *Rot. Ch.* p. 80 (1200)). But John's charter roll includes many letters patent, specifically so-called; for instance, the protections on pp. 98 and 101. It was substantially true that already "teste me ipso" was limited to letters patent and close, as contrasted with charters. But this doctrine must never be pressed too hard. See later, p. 211. The differentiation of the three types of writs only gradually became more clearly cut under John.

general address, were distinguished from "letters close." Before long, the former were normally sealed *en double queue* on an endless loop of parchment inserted through an incision in the document. It is not clear that we have the name "letter close" under Henry II., but we certainly have the thing. The main characteristic of letters close[1] was that they were essentially addressed to individuals and, therefore, sent out closed up. In later times such letters were sealed on a "simple queue," made by cutting a strip of parchment away from the base of the document, but remaining attached to its left extremity. Thus we find that the three chief types of documents, revealed in all their fulness in the chancery rolls of John, were already substantially in existence early in Henry II.'s reign. Nay, even the technical subdivisions of letters close, such as writs of *liberate*, *computate* and *perdono*, have their diplomatic explained in the *Dialogus*,[2] and must, therefore, go back to at least the middle of the reign. A similar threefold differentiation of documents was being worked out a little later in the papal court, and in the Capetian household.[3]

[1] See for this Delisle, *Recueil*, Introd. pp. 145-146, 178-180. In the *Atlas* of facsimiles, Delisle has reproduced (*a*) a writ close of the Empress Matilda, the lower part of which has been nearly cut off to form two strips, or queues, of parchment, attached by the left end only. On the upper and broader queue, the normal place for the seal, is written the address of the recipient, and the crossing of this with the lower and narrower queue made it possible to fold the letter and keep its contents private. Delisle conjectures that the fastening was sealed by some sort of ring or signet; *Atlas*, planche i. No. 84. (*b*) An early letter of Henry, to the "ministers of Warevilla," with the lower part of the parchment similarly fashioned. The broader queue is here clearly for the seal, as the address was written on the back, on the exposed part of the folded document; *ib.* planche xv. No. 218 *a*. (*c*) *Cant. Ch.* C. 8 (above, p. 136, note) is essentially a "writ close." I cannot recall the style "letter close" before the beginning of the close rolls, early in John's reign. But the thing certainly goes back to Henry II.

[2] *Dialogus*, pp. 82-83. To the formula of each writ the *Dialogus* adds, "Testibus his apud N. (or 'hic') ad scaccarium." The only existing specimen, like those of John and subsequent reigns, has not "ad scaccarium," and, naturally, for such documents are chancery writs, mandatory to the exchequer, which could hardly order itself to make payments. Is this "ad scaccarium" really authentic? Is it not a flourish to enhance the dignity of the exchequer?

[3] The three types of papal documents were privileges, "tituli" and mandates, and were established under Innocent III.; Delisle, "Mémoires sur les Actes d'Innocent III," in *Bibl. de l'École des Chartes*, 4me série, iv. 16-22 (1858); Poole, *Papal Chancery*, pp. 98-118. The French types were charters

It was characteristic of Henry II.'s chancery that its terse business-like forms cut out everything superfluous. Even the traditional formula *Dei gratia rex* disappeared from Henry II.'s charters between 1154 and 1173, though it still remained on the inscription of his seal.[1] The result is the easily identified, quite distinctive diplomatic of the great Angevin's reign, whose sobriety, conciseness and clearness set the fashion to the chancery and chamber clerks of later generations, just as fully as Henry II. in many other lines marked out the course of the future development of the country. The immense mass and variety of correspondence can be guessed faintly from the surviving documents, numerous as they are. We have lost, with one exception, the whole of the financial orders, sent from the chancery to the exchequer, whose existence is proved by the well-known *per breue regis*, often appended to entries on the pipe rolls as a warranty for exchequer action, and which, already in the days of the *Dialogus*, were carefully preserved in the treasury as vouchers for issues. The volume of the administrative correspondence accounts for a brevity which spared even the amount of parchment employed, and starts us wondering how the heavy royal seal could be affixed to such mere wisps of vellum, and how they could even be expected not to tear away the fragile attachment of the *simple queue* to the body of the document. Moreover, the king's writing office was highly centralised in its constitution. Even when the exchequer, by settling down in London, had cut itself to some extent adrift from the court, its connection with the household was still maintained, not only by its continued staffing from officers of the *camera*, which was still a part of the court, but by the sending to the exchequer of the chancellor, and of clerks working under him, to discharge its secretarial duties. Both

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letters patent and "mandements," worked out under Philip II.; Giry, pp. 754-757. The English letter close corresponds to the papal mandate and the French "mandement," and to the thirteenth-century papal briefs "sub anulo piscatoris," or French "lettres closes." Both these later types represent the English writs of privy seal, none of them being sealed with the great seal.

[1] Delisle's demonstration that Henry's letters before 1173 systematically suppressed the "Dei gratia," used or not used by earlier kings indifferently, is now universally accepted; *ib.*, Introduction, pp. 12-38.

the *clericus qui preest scriptorio* and the *clericus cancellarii*, whom we have already seen working in the exchequer, were chancery officials, lent with subordinates, who drew up the writs, so that the whole secretarial office should be under a single control. It was only when the master of the *scriptorium* had drifted out of the exchequer, and the clerk of the chancellor had become specialised to exchequer work, that the unity of the secretarial work of the crown was broken.

Important and well organised as the office of the chancery had become by the end of the reign of Henry II., it still remained a department of the household and nothing else.[1] The chancellor with his staff of scribes and chaplains still followed the court in its perpetual wanderings, through both his continental and his island dominions, though they might be lent to the exchequer, just as they might be sent on a foreign mission for special reasons. The chancery staff as a body was still, therefore, ready at the king's side to write and seal any letters of which he had need. As long as all government business was transacted in the king's domestic household, it was easy and natural that all writing and sealing work, from whatever department it arose, should be done in a single office. There was no need, consequently, for more than one seal, and what moderns have called the "great seal" was, up till nearly the end of the twelfth century, sufficiently described as *sigillum regis*. The unity of royal acts, emphasised by their authentication by a single seal, was further illustrated by their being drafted by the same group of clerks. Yet we shall soon see that this unity, both of the seal and of the office, was disappearing even during the reign of Henry II., and that the *sigillum regis* was already one in name rather than in fact.

[1] Herbert of Bosham ("Vita S. Thomae" in Robertson's *Materials*, ii. 184) speaks of Thomas as "aulae cancellarius" and "functus officio in aula." The "aula," the prototype of the modern "Lord Steward's Department," and the "camera," whose recent equivalent is the "Lord Chamberlain's Department" of the household, each still with their separate staff and archives, were already the two great branches of the royal household.

SECTION III

The First Reduplications of the Royal Seal

By the end of the twelfth century a single royal seal was found in some of the more highly organised administrations of western Europe to be insufficient to discharge the ever-increasing duties, thrown upon the chancery by the advance of administrative centralisation, and by the growing complexity of the machinery of government. On the continent this need was also experienced, sometimes earlier, but generally much later than in England. Abroad it was remedied in three or four different ways. The most obvious was the employment of one or more duplicates of an identical royal seal, so that various acts might be sealed at the same time or at different places, instead of being submitted to a single officer to be sealed by the same instrument. This was intermittently done in the empire, occasionally under the later Carolingians, and more frequently under the Saxon and Frankish dynasties.[1]

A second method was the establishment of different seals with different "chanceries," or sealing offices, for outlying or dependent districts ruled over by the monarch. Thus we have, since the days of Conrad II. and Henry III., a special seal for Italy, apart from the *sigillum teutonicum*, as the imperial seal now began to be called.[2] Thus, besides duplicate seals, special local seals arose.

A third and more drastic remedy was the institution of special departmental seals, of which the earliest abroad seem to have been special seals for law courts in those lands where every act of a judicial body was normally authenticated by a seal. There is a curious anticipation of this usage recorded in the days of Charles the Great. The great emperor used, side by side with his inscribed seal for charters, an uninscribed seal for documents issuing from the law courts;[3] but the custom does not become general or permanent before the thirteenth century. We soon have in France local "seals for contracts," the seal of

[1] Bresslau, pp. 944-945. [2] *Ib.* p. 945. [3] *Ib.* p. 944.

the Châtelet of Paris, the seals "of the Jews," and similar judicial seals.

A fourth, and most effective of all methods, was a further extension of the same principle. It consisted of appointing special seals for special types of business. This perhaps began when the counter-seal, used for making an impression on the back of a wax or metal hanging seal, was employed for certain classes of less formal or important matters. In the French monarchy this practice was begun by Louis VII., and continued by all his successors. By the last quarter of the twelfth century the greater number of pendant seals were provided with counter-seals.[1] Many of them were used independently, as one-faced seals, impressed upon the parchment on which the document was written. Some of these seals give small impressions from a matrix of the antique signet type. It was, therefore, a short step from this to an entirely independent "small seal," or, as it soon got to be called, the "secret" or "privy" seal.

In England the process of the reduplication of the royal seal anticipated, or corresponded to, the general lines of continental practice. If there is no clear proof that the Norman kings used at the same time two different matrices to produce impressions of the *sigillum regium*, we shall soon see that, under Henry II., an absolute duplicate of the royal seal was employed for departmental purposes in the exchequer. This is, probably, the oldest departmental seal in Europe. The use of local seals was retarded by the unity of the Norman chancery. But an equestrian seal, figuring the duke of the Normans, was used after the conquest as the counter-seal to the English royal seal, and there is some reason to believe that the French counter-seal of Louis VII. and Philip Augustus was suggested by it. If judicial seals somewhat lagged behind as compared with the continent, it is a proof of the advanced character of English administration that England had not only the first departmental seal in the seal of the exchequer, but also perhaps one of the first recorded seals of absence, and, more important for our purposes, the first "small" or "privy" or "secret" seal of any great European state. Let us now endeavour to work out these three points in more detail.

[1] Giry, pp. 641-643.

We have seen that, up to the reign of Henry II., all surviving royal acts were sealed with one seal, and drawn up in one writing office, controlled by the chancellor, which itinerated with the court. All government departments arose from the household, and in the household all administration centred. Moreover, the chancery stood in very close relations to the chamber. Chamber clerks, like Walter of Coutances, became the deputies and substitutes for the chancellor, and sometimes, as in the case of William of Sainte-Mère-Église, a chamber clerk appeared as the sole witness of a writ, in the position normally taken by the chancellor, especially if it was a writ for issue. By the middle of the twelfth century, one office of state had, in practice, separated itself from the *curia regis*, and this was the most highly organised of the government departments, the exchequer. By reason of its half-yearly sessions being held normally, though not invariably, at Westminster,[1] the exchequer was often separated from the court, the king and the chancellor. Accordingly, the exchequer officials began to speak of the *curia* as something outside and different from their own organisation,[2] though the justiciar, the chancellor and the other great dignitaries of the *curia* still had their seats in the exchequer. But their presence rather attested the common origin of the two institutions than any essential connection between them. Moreover, the attendance of the great officers at the exchequer seems to have become exceedingly irregular. This was particularly the case with the chancellor, who, with his seal, was bound to be in close attendance on the king.[3] Accordingly, he was commonly represented by the *clericus cancellarii*, a clerk who ultimately became altogether an exchequer officer. Despite this growing separation, the same persons, who acted as justices in the *curia*, still sat as barons in the exchequer, and the secretarial business of the exchequer was still entrusted to subordinates of the chancellor. In the days of the *Dialogus de Scaccario*, the exchequer still depended on the chancery official, the *clericus qui preest scriptorio*, and his assistants, for the clerical staff necessary for writing, not only the chancellor's roll, but also

[1] On the place of the exchequer meetings see Poole, pp. 71-72.

[2] For instance, *Dialogus*, p. 70, describes the chancellor as "sicut in curia sic ad scaccarium magnus."

[3] "In leua eius (*i.e.* justiciarii) primo loco residet cancellarius ratione officii sui, *si adesse eum contigerit*"; *Dialogus*, p. 69. See later, pp. 145-146.

all the writs and summonses issued from the exchequer.[1] The amount of this work was considerable; yet it was still practicable to send a few writers under the chancellor's control to Westminster every Michaelmas and Easter to discharge this function. It was possible in the same way to provide for the sealing of the writs thus drafted; for their revision and sealing were entrusted to the *clericus cancellarii*, who was the practical representative of the chancellor in the exchequer, and whose responsibilities were so laborious that we see good reason why the busy and dignified chancellor left them severely alone.[2] But the chancellor was also compelled to be in attendance on the king with the seal. Hence arose a very practical difficulty. If the chancellor and the seal were with the king, who was perhaps in Normandy or Anjou, how were writs to be sealed with it at Westminster in the exchequer? Before the *Dialogus* was written, this difficulty was solved, after the radical fashion which Henry II. loved, by a duplication of the great seal.

A passage in the *Dialogus de Scaccario* clearly testifies to the existence of two royal seals in the reign of Henry II. This text makes a distinction between the *sigillum regis quod residet in thesauro*, and the *sigillum curie deambulatorium*, which followed the king on his wanderings.[3] The passage has been variously interpreted, but most writers, influenced, doubtless, by the supreme authority of Madox, have identified the seal kept in the treasury with the "great seal" of later times.[4] Madox's argument, however, is rather forced, and is based on an inability

[1] *Dialogus*, p. 77, " . . . clericus qui preest regis scriptorio. Ad hunc pertinet scriptores idoneos ad rotulum cancellarie et ad breuia regis que in scaccario fiunt, nec non et summonitiones conscribendas inuenire, et vt bene fiant prospicere; que quidem officia, licet paucis exprimantur verbis, infinitis tamen vix explere possunt laboribus; quod norunt hii qui hec ipsa rerum experientia didicerunt." This wail of the overburdened exchequer suggests that already its dependence on the chancery for secretarial work was bearing hardly on the staff of the office.

[2] *Ib.* p. 84 says of the chancellor's clerk, "et est ei labor infinitus atque post thesaurarium maximus."

[3] *Dialogus*, i. 15, p. 107. Cf. *ib.* i. 5, d, p. 71.

[4] Madox, i. 194. Among recent writers who have accepted Madox's view, may be mentioned Sir William Anson, *Law and Custom of the Constitution*, ii. 162, ch. iv. sect. ii. § 5, and Poole, pp. 104, 111. The editors of the Oxford edition of the *Dialogus* do not discuss the point at length, but suggest incidentally the view in the text: "The seal of the *curia* followed the king. The seal of the exchequer followed the sessions of the exchequer"; *Dialogus*, p. 201. Compare *ib.* p. 15, quoted in note 1 below, p. 145.

to distinguish clearly between the province of the exchequer and that of the chancery, which is, perhaps, more natural to the historian of the exchequer, who was bound to see the exchequer in all things, than to his modern followers. It seems, however, almost certain that the deambulatory seal of the *curia* must represent the "great seal," and that the *sigillum in thesauro* can only be the exchequer seal. It is spoken of in the *Dialogus* as *sigillum regis*, because it was natural for exchequer officers to call their own seal by that name. It was, however, exclusively employed in exchequer business,[1] and was normally kept in the treasury by the treasurer and chamberlains, but only for safe custody, and shut up in a bag sealed by the chancellor. It never left the treasury, save when, on an order by the justiciar, it was taken to the exchequer for exchequer affairs.[2] Within its sphere, however, it was equivalent to the original royal seal, and the image and inscription engraved on it are the same as those of the deambulatory seal, so that its authority may be recognised by all as equal to it.[3] In short, it is, at least in its origin, a duplicate of the royal seal, perhaps distinguished from it by its smaller size. It was established in order that there might always be a royal seal, ready in the exchequer, at its periods

[1] "Hoc enim facte summonitiones et alia, pertinentia dumtaxat ad scaccarium, regis mandata signantur"; *Dialogus*, i. 15, p. 107. Compare *ib.* i. 5, o, p. 77.

[2] "Ad ipsum (*i.e.* cancellarium) pertinet custodia sigilli regii, quod est in thesauro, set inde non recedit nisi cum, precepto iustitie, ab inferiore ad superius scaccarium a thesaurario vel camerario defertur ad explenda solum negocia scaccarii. Quibus peractis in loculum mittitur, et loculus a cancellario consignatur, et sic thesaurario traditur custodiendus; item, cum necesse fuerit, signatus sub omnium oculis, cancellario offertur, nunquam ab ipso vel ab alio alias efferendus"; *ib.* i. 4, d, e, p. 71. In *ib.* i. 14, p. 107, it is said to be guarded by the treasurer and chamberlains "in repositoriis archis thesauri" along with the Domesday Book, the pipe rolls, and other rolls and writs and documents, "que, consedente scaccario, cotidianis usibus necessaria sunt." I imagine the treasury was still at Winchester (Round, *Commune of London*, p. 78), and that the seal and the documents, stored in the treasury there, were taken twice a year to Westminster, or elsewhere, for the exchequer sessions. But the Winchester treasury was approaching its end, and a phrase in the quotation given above suggests the possibility of the seal being conceivably in the "lower exchequer," the "receipt," at Westminster. Anyhow, a seal locked up in a bag for most of the year, whether at Winchester or Westminster, is clearly not the great seal. The exchequer seal was apparently only used during the exchequer sessions.

[3] "Expressam autem habet imaginem et inscriptionem cum deambulatorio curie sigillo, ut par cognoscatur utrobique jubentis auctoritas"; *ib.* i. 15, p. 107.

of session in spring and autumn.[1] It was not long before this duplicate royal seal blossomed into the departmental exchequer seal of later history, the first known departmental seal in any state of western Europe.

It is a further proof that the chancellor was in the twelfth century the *ex officio* keeper of the king's seal, that the *Dialogus* describes the chancellor as the custodian of the exchequer seal, though he discharged its custody by deputy.[2] In practice, however, it was only in the hands of the chancellor, or his deputy, when writs were sealed with it by them. This deputy was not, however, as has sometimes been thought, the *clericus qui preest scriptorio*, but the chancellor's clerk,[3] whose special business, as we have seen, was to correct and seal the summonses, made under the direction of the clerk of the writing office. He had also multifarious other occupations in the exchequer, and was already often obliged to appoint a deputy. It was his duty to keep the chancellor's roll, and in other ways to act as a control over the

[1] The editors of the Oxford *Dialogus*, *ib.* p. 15, make this point clear. "Both in the *curia* and the exchequer, he (the chancellor) is responsible for the sealing of all writs issued under the great seal, of which, for this purpose a duplicate is kept in the treasury by the treasury and chamberlains in a bag, sealed with the chancellor's own seal" (p. 15). We must not, however, press the phrase "duplicate" too much, as there must have been something to distinguish the exchequer seal from the "great seal." I expect it was smaller in size, though with the same image and superscription. The surviving impressions of exchequer seals only begin under Edward I., and are two-faced and smaller than the "great seal"; Birch, *Cat. Seals*, i. 106; *Hart. Ch.* 43, C. 39.

[2] "Nec effertur alias, set, sicut supra dictum est, a cancellario custoditur per vicarium"; *ib.* i. 15, p. 107. The former passage in the *Dialogus* (p. 71), here referred to, is quoted in note 2, p. 144, above. It ignores the deputy, and says roundly that the custody of the exchequer seal pertains to the chancellor.

[3] *Dialogus*, i. 6, c, p. 83. "Clericus cancellarii, qui huic proximus est, licet non proprio sed alieno nomine militet, magnis tamen occupatur et in multa distrahitur, adeo vt ab ipso initio compotorum usque ad finem inde auelli non possit, nisi forte dum sibi propitius est substituto interim sibi discreto vicario." This means that he is the chancellor's deputy, though already enough of a permanent officer to appoint a deputy of his own. Compare for his sealing, *ib.* i. 6, d, p. 84; "hic etiam summonitiones, factas ut predictum est, corrigit *et sigillat*"; Mr. Poole, p. 111, and note, seems to have overlooked this passage when he identifies the "clerk of the writing-office" with the "bearer of the king's seal." The *Dialogus* says expressly (see above, p. 144) that the chancellor had the "custodia sigilli regii." The "lator sigilli regii" of *ib.* p. 73 must be therefore his deputy, the chancellor's clerk, not the "clericus qui preest scriptorio," who only provides the clerks to write the king's writs. Here, as has been already shown in another relation (above, pp. 130-131), the writing and sealing of writs are regarded as separate acts.

treasurer. This association of seal-keeping and the work of control, including the keeping of a counter-roll, will later be worth remembering for us, since the late thirteenth century saw a similar combination of duties when the controllers of the wardrobe both kept the wardrobe seal and also drew up the counter-roll, which was designed as a check on the roll of the wardrobe treasurer.

The process of the separation of the exchequer and the chancery continued apace. By 1189 exchequer summonses were no longer written by chancery clerks, told off for the purpose, but by the clerks of the treasurer and chamberlains,[1] so that the unity of the secretarial establishment, under the chancellor, was broken up by the existence of departmental clerks of the exchequer. By 1230 it was clearly understood that the chancellor was not the normal keeper of the exchequer seal, and so little was he personally responsible that a deputy of his deputy was appointed by the crown and not by the chancellor. Before this time,[2] the chancellor's deputy had become a permanent officer of the exchequer. Before the middle of the thirteenth century, he bore the title of chancellor of the exchequer.[3] When this process had been accomplished, the exchequer seal had parted

[1] *Pipe, 1 Ric. I.* p. 223 (Rec. Com.), "Et in liberatione clericorum thesaurarii et camerariorum qui moram fecerunt apud Westmonasterium ad summonitiones sigillandas."

[2] This is shown by the arrangements for sealing during Henry III.'s absence beyond sea in 1230. The "sigillum scaccarii quod residere solet ad scaccarium" had to be specially put "in custodia cancellarii," when used as a great seal of absence; *P.R., 1225–32*, p. 340. For the royal appointment of the deputy's deputy see *C.R., 1227–31*, p. 263.

[3] Up to 1229 at least the old arrangement seems to have continued, but the chancellor's deputy was already appointed by the king. At least, this was the case with the deputy of the deputy who did the work. See *C.R., 1227–31*, p. 263, "Rex mittit baronibus de scaccario Robertum de sancto Medardo ad scribendum ad scaccarium regis, loco Nicholai de Neville nomine Radulfi Cycestrensis episcopi, cancellarii regis," Nov. 13, 1229. It is doubtless passages such as this that have led some writers to speak of Ralph Neville, chancellor 1227–44, as also acting as chancellor of the exchequer, and Messrs. Hughes, Crump and Johnson to rely upon it as clear proof that Ralph Neville "was at this date chancellor also in the exchequer." I should rather say that it made it certain that he was not. All it means is, that Ralph, like his predecessors, still remained ultimately responsible for the exchequer seal and certain exchequer rolls. So late as Fleta's time (*c.* 1291) the chancellor was still regarded as nominally responsible for the exchequer seal; Fleta, p. 75. The first recorded chancellor of the exchequer seems to have been Ralph of Leicester, clerk, who resigned in 1248; Madox, ii. 52. From this time the list of chancellors of the exchequer is fairly satisfactorily determined.

for good from the chancery.[1] Henceforth, the exchequer has a chancellor, and a chancery, that is a seal department, of its own.

In Delisle's opinion a signet or *cachet* was already employed under Henry II., notably as a means of fastening the thin strip of parchment which enabled the contents of letters close to remain private.[2] If so, the "small seal" of the next generation had already come into existence. However this may be, we find

[1] Madox, i. 195-196, thinks that "the chancery was separated from the exchequer at the end of Richard I. or the beginning of John." But his only reason seems to be that the chancery rolls begin under John. His error is in not realising that the exchequer "separated" from the chancery which was still "in curia," not the chancery from the exchequer. The separation was effected as soon as the revenue organisation virtually went "out of court." And this was the case in some measure under Henry I., and for most practical purposes under Henry II.

[2] *Recueil*, Introd. p. 235. No reason is given for this, unless it be an inference from the method of folding letters close described by M. Delisle. I am not sure that there is evidence that "tous les souverains" had such "signets cachets" in the twelfth century. However, as early as 1856, in *Bibl. de l'École des Chartes*, 4e série, ii. 536, Delisle called attention to a passage among the *Commentarii in S. Melitonis Clavem*, a curious thirteenth-century text, published by Card. Pitra in *Spicilegium Solesmense*, iii. 233, in which we read, "Unde privatum sigillum Henrici, filii comitis Andegavensis et Mathildis imperatricis, quondam regis Anglorum, sculptos habebat in jaspide currum et serpentem trahentem currum, cum subscriptione hac in metallo:

Signum signo meum signo signante trophaeum.
Quod prudenter ago, signat serpentis imago."

Of this seal Delisle truly says, "Aucune empreinte n'a encore été signalée, mais dont l'existence est suffisamment constatée." It requires, however, a strong faith to regard the evidence of this anonymous commentator on Melito as convincing. A writer in an age when every one had his "secret seal" could easily assume that this had always been the case. However, since Henry II.'s treasurer, bishop Richard Fitzneal, had his "secretum" (Poole, p. 8), there is every probability of his master also possessing one. Yet the "secretum" as a counter-seal was not quite the same as the sort of signet ring suggested in this passage. There is no reason for disbelieving that in any ages kings and magnates did not use signets of the ancient gem type for sealing up documents that were not for the public eye, or even for sealing their ordinary informal correspondence. Such documents were not very likely to be preserved, and we have no right to assume they have never existed because they have not come down to us. Elsewhere Delisle (*Catalogue des Actes de Philippe Auguste*, Introd. p. lxxxix, 1856) notes that Philip II. also probably possessed a "petit cachet pour fermer certaines lettres missives." If William the Breton (Dom Bouquet, *Recueil*, xvii. 72, 170) is right in his story that Richard I. took Philip's seal at the battle of Fréteval in 1194, it must have been a signet of this type, for it is certain that the French king did not lose his great seal on that occasion. Here again the similarity of contemporary French and English usage is very noteworthy. As the Angevin court had a better system than the Capetian, it seems clear that what Philip II. found useful, Henry II. was likely to have had also.

that under Richard I. a further step forward was taken in the differentiation of the royal seals. When Richard went on the third crusade, he took his great seal with him, but left behind in England a small seal to be used for the transaction of business in his absence.[1] It was part of the magnates' complaint against bishop Longchamp, the chancellor, that he refused to use this instrument, and preferred to validate all documents with his own personal seal. The first result of Longchamp's fall in 1191 was an order from the regents that letters should be authenticated by the royal seal only. This is the first small seal of the king that we read of in history. At first sight it seems only an anticipation of the "seals of absence," which, at a later date, were specially designed to be used as equivalents for the great seal during a prolonged royal visit to the continent. It is unlikely, however, in the hurry of the preparations for the crusade in 1189, that Richard I. should have anticipated by more than forty years the first known use of seals of absence as such. However, there is evidence that a similar seal of absence was used in France during Philip Augustus' crusading campaign, and it is certain that sealed acts emanated from the regency in France while Philip was away in the East.[2] Moreover, for the greater part of the thirteenth century English kings, when absent abroad, and accompanied beyond sea by their "great seal" and chancellor, were accustomed to

[1] Gervase of Canterbury, *Opera Historica*, i. 509; "Dimiserat enim rex in Anglia *sigillum paruum, regia tamen maiestate signatum*, quo regni negotia debuerant insigniri. Sed cancellarius, omnia sibi ascribens, suo sigillo fecit uniuersa." I owe this reference to Professor F. M. Powicke. Compare Roger Howden, *Chronica*, iii. 28; "Rex tradidit Willelmo, Eliensi episcopo, *unum de sigillis suis* per quod fieri precepit mandata sua in regno." This suggests a seal already in use and not one made for the purpose. It would therefore help to support Delisle's doctrine. Mr. Round has, in his demonstration that Richard I.'s change of seal took place not in 1194 but in 1198, discredited the details of another passage of Howden, *Chron.* iii. 267, dealing with the history of Richard's seals; *Feudal England*, pp. 539-551. He is less successful in refuting the view of Stubbs and M. Boivin-Champeaux, the biographer of Longchamp, that "there were two seals, one which remained in England with the chancellor, and one which accompanied the king to the east"; *ib.* 543-544. He seems to have overlooked the passage in Gervase quoted above.

[2] Delisle, *Catalogue des Actes de Philippe Auguste*, Introd. pp. lxxxix-xc. Acts under this seal are summarised in *ib.* Nos. 322, 332, 333, 335, 337, 343-345a, and printed in Delaborde, *Recueil des Actes de Philippe Auguste*, i. This must have been the seal which Philip entrusted to the keeping of six Parisian notables.

provide for the sealing of acts, that would normally have been sealed by it, by setting aside some existing seal of lesser dignity for that purpose. Thus alike in 1230, in 1242 and in 1253–4 Henry III. used the exchequer seal[1] as his "seal of absence," and the most probable conjecture is that the small seal left behind by Richard was the already existing exchequer seal.[2] It is at any rate likely that Richard's small seal was no instrument designed for a sudden emergency, but an ordinary part of the administrative machinery. We owe our knowledge of its existence to its happening to be employed during the king's absence as a substitute for the normal seal. If it were not the exchequer seal, we are almost forced to hazard the guess that Richard I. found at his accession a small seal in use, in the same sense in which the term was employed in the chancery rolls of the next reign. If this were the case, we should have to go back, as Delisle thinks, to the days of Henry II. for the beginnings of a small seal in England.

Whichever of these two alternatives be accepted, we cannot but draw the inference that the arrangements for sealing and secretarial work were more advanced in Angevin England than in any other European country. Under Richard I. England has its departmental exchequer seal. This could upon occasion be also used as a seal of absence. Otherwise we are forced to conclude that there was already a small seal available for use as a substitute for the great seal when it was abroad with the king. In France, on the other hand, if there is the possibility of Philip II. using a signet ring, as Henry II. may have done, as well as adopting similar arrangements for sealing during the crusade to those of his rival, there is no trace of the existence of either a recognised small royal seal or a clearly defined "seal of absence" before the reign of St. Louis.[3]

[1] *P.R., 1225–32*, p. 340, *C.P.R., 1232–1247*, p. 290; *ib., 1247–1258*, p. 210.

[2] The phrase "regia maiestate signatum," quoted in note 1, p. 148, above, suggests the exchequer seal, which we know was the duplicate of the later "great seal," and so also a "seal of majesty" at that period. But see above, p. 124, note 4, for the vagueness with which the term "maiestas" was used. It very likely here only means "royal seal."

[3] Morel, *La Grande Chancellerie royale, 1328–1400*, p. 267. See also *Nouveau Traité de diplomatique*, iv. 135-136, for the cachets or the signets of St. Louis. The first "seal of absence" in France was that appointed by St. Louis on his departure for the crusade of Tunis in 1270; Morel, *u.s.*

France was more backward in the matter of departmental seals. The signet, or departmental seal, of the parliament of Paris is first mentioned in 1349,[1] and the *chambre des comptes*, the French equivalent of the exchequer, though separated from the household and located at Paris since the days of St. Louis, had no departmental signet before the fifteenth century. When its acts were not sealed by the great seal or its equivalents, they were attested by the private signets of the chief officers concerned.[2]

In discussing the origin of the exchequer seal we have strayed far away from our proper subject, and it is doubtful whether what has been said about the small seal of Richard has a very direct bearing upon the small seals proper with which this work is concerned. Yet the digression may have involved the discussion of some points not without interest in themselves. Whether this be so or not, such deviations from the main theme are almost unavoidable at a time when every branch of royal administration was mixed up with the other offices in inextricable confusion, and when every royal clerk was considered to be as competent to do the work of any of his colleagues as he was to perform his own task. Moreover, the origin of the small seals is buried in a region of darkness and conjecture, and the best way to prevent our guessing amiss is to take full stock of the conditions under which the need for the multiplication of royal seals first arose. It is something to find a chronicler of Richard I.'s reign assuming the existence of several royal seals, and to have suggested the possibility of throwing back the existence of a small seal for a good generation.

[1] Morel, *La Grande Chancellerie royale, 1328–1400*, pp. 120, 226, 499, 500. It was only in the fifteenth century that the parliament had, says M. Morel, "une chancellerie parfaitement distincte de la grande chancellerie" (p. 120).

[2] *Ib.* 120, 121. Compare the wardrobe bills and other documents sealed in the thirteenth and fourteenth centuries with the personal seal of the keeper or some other official of the department.

SECTION IV

The Beginnings of the Small Seal

There may be some reason for suspecting the existence of a "small" or "privy" seal under Henry II. and Richard I., but we only emerge from the region of conjecture into the realm of comparative certainty when we get to the reign of John. From the early years of that king the chancery enrolments, the Patent Rolls, Close Rolls, Charter Rolls and the rest, contain royal acts, drafted in terms so precise that there is good reason for suspecting that the system of enrolment in chancery goes further back than the time when the survival of the earliest roll reveals its existence to the historian.[1] The acts enrolled by the chancery clerks differ from each other in solemnity, form and content, but they have in common their normal authentication by the seal of the chancellor, that seal which we can now without hesitation call the great seal since, as we shall soon see, John's chancery gives it that name. The reason why the old king's seal was now called the great seal is that some of the acts enrolled in chancery were authenticated, not by the old king's seal, but by a seal, or seals, called the *paruum sigillum* and the *priuatum sigillum*. The obvious inference, made two hundred years ago by Thomas Madox, is that the English kings had a privy seal since the days of John.[2] This privy seal cannot at this stage be proved to be the same as the *paruum sigillum*, but strong probabilities, and the certainty of later usage, compel us to believe

[1] It should be noted, however, that so early as the days of Edward II. the evidence suggests that no chancery rolls earlier than those of John were then known. "Soient les roules de la chauncellerie cherchez du temps le roi Jean et puis en cea"; from an ordinance of June 30, 1326, printed in *R.B.E.* iii. 951. There is never anything quite corresponding to them in France, where, though, under Philip Augustus, the registers of charters were compiled from about 1204, the records of the French chancery which correspond to our chancery rolls seem to have consisted of separate documents, more like our files. See H. F. Delaborde, *Recueil des Actes de Philippe Auguste*, i. Introd., and the review of this work by Professor Powicke in *E.H.R.* xxxiii. 392-395 (1918).

[2] Madox, i. 86.

that there was only one seal described under these two names.[1] It was no mere departmental seal; neither was it a substitute for the great seal to be used when the king was out of the realm. Still less was it a duplicate of the great seal. It was a new type of seal, specially appropriate for certain kinds of business, though it might also be used at a pinch as an equivalent to the great seal.

From the beginning of the chancery enrolments not only were charters registered apart, but letters patent, with a general address, were enrolled separately from other types of royal letters more particularly addressed to individuals. We need not scruple to call these latter letters close from the beginning, but we must remember that the earliest extant "close rolls" between 1200 and 1205 are not called by that name, though the next roll, that of 7 John (1205–1206), is entitled *rotulus literarum clausarum*.[2] Nevertheless the exact categories of public documents were only gradually established. We must, therefore, not expect in the rolls of John or Henry III. the same clear lines of division between various types of writs, since these were only fixed on permanent lines in the latter part of the thirteenth century. Thus many writs, such as writs of *liberate*, appear on early close rolls, which in the next generation would have been

[1] Three instances, unfortunately nearly a century later, show conclusively that ultimately at least the terms privy seal and small seal became equivalent. (1) Two letters of archbishop Peckham, written on Dec. 17, 1282. In one of these letters addressed to Edward I., Peckham informs the king that there has been found on the dead body of the Prince of Wales, "le prive seel Lewelin." In the other, which gives the chancellor Burnell an account of the same discovery, Peckham writes, "Inventum fuit in bracali Lewelini . . . transcriptum . . . una cum sigillo suo paruo"; Peckham's *Letters*, ii. 489-491 (R.S.), *Foedera*, i. 619. (2) A letter in *C.W.*, file 22, No. 2185, dated Oct. 25, 1300, where Edward I. speaks of a letter "done sous nostre priue seal" as being a letter "de nostre petyt seal." (3) Again, in 1312, where a prisoner, officially accused of counterfeiting the king's privy seal, *C.P.R., 1307–13*, p. 538, is described in a chronicle as forging the small seal, *Annales Paulini*, in Stubbs, *Chron. Ed. I. and Ed. II.* i. 273 (R.S.). (4) A fourth, but still later, example gives an official recognition of the identity. In 1340 Edward III., announcing his change of seals, speaks of "aliudque (sigillum) paruum, quod priuatum sigillum nuncupatur"; *Rot. Parl.* ii. 450.

[2] Hardy, *Rot. Lit. Claus.* i., Introduction, p. iv, notes this. The roll of 6 John is "rotulus terrarum datarum et commissarum, et denariorum et quietancionum anno regni regis Johannis sexto." Before this what are really the "close rolls" between 1200 and 1204 are published as "liberate, mise, and prest rolls"; see above, Ch. II. ii. d, p. 42. The writ of "liberate" was perhaps the oldest, certainly the most usual early form of letters close.

enrolled separately.[1] Yet already we may recognise that in the case of the more private and less solemn letters close it was easier to dispense with the great seal of the chancellor,[2] for its great size and weight must have always been very perilous to the safe custody of the little strips of parchment on which letters close were written. Accordingly the earliest examples of letters under the small seal are found on the close roll. On June 8, 1206, John issued from La Rochelle a letter close, sealed with the small seal.[3] On May 10, 1208, John issued from Tewkesbury another letter close, sealed with his privy seal.[4] In the first case the mere fact of the use of the small seal is recorded, but in the second the king explains that he uses his privy seal because he has not the great seal with him. A third instance is of even greater significance for us. On May 2, 1208, John was interested in the collection of certain royal debts from various Yorkshire churches, and ordered his local agents to distrain some of the goods of the abbot of St. Mary's, York, in order to liquidate them, and pay the proceeds of their sale into the royal *camera*. The reason announced for this course is most significant. The king wished these debts to be paid into his chamber, and has therefore sealed the writ with his small seal. Had he desired it to be paid into the exchequer, he would have caused it to be sealed with his greater seal.[5]

[1] See Preface, pp. v-vi of *Calendar of the Liberate Rolls, Henry I.*, vol. i., 1226–1240. The true series of "liberate" rolls begins then in 1226, though the "liberate" writ is described in the *Dialogus* as already in existence in about 1180; *Dialogus*, p. 82. The *Rotuli de Liberate ac de Misis et Praestitis regnante Johanne*, issued by the Rec. Com. in 1844, has then a somewhat misleading title, being really for the most part the earliest close rolls. The "breuia regis de exitu thesauri," sent to the exchequer under Henry II., were preserved with other archives in the treasury; *Dialogus*, p. 107.

[2] Letters close were so called because they were "closed up," and certainly not because they were "sealed on the outside with the great seal," as Sir Thomas Hardy said, *Rot. Lit. Claus.* vol. i. Int. p. i. The closing was probably effected by a thin strip of parchment, sealed, as Delisle suggests, by a "cachet" or "signet." All the original letters close that I have seen have the great seal in white wax attached "en simple queue," in such a fashion that it could never have been used to shut the letter up. French letters close were sealed by the "sceau du secret." English letters close correspond to the French letters patent in white wax "en simple queue." See above, pp. 137-138, and my later volumes.

[3] *Ib.* i. 72, "sub paruo sigillo isto sigillate fuerunt."

[4] *Ib.* i. 114, "has autem litteras priuato sigillo nostro fecimus sigillari, quia magnum nobiscum non habuimus."

[5] "Et quia hec debita predicta nobis reddi volumus *in camera nostra*, has litteras nostras fecimus signari *paruo sigillo nostro, que fecissemus maiori sigillo*

It is an irresistible inference that this writ, anticipating much later evidence in the same direction, indicates that by 1208 the small seal was the specially appropriate instrument for chamber business. This is a new point, for, as we have seen, it was not in the chamber but in the exchequer that the need for a departmental seal first arose by reason of the necessary absences of the chancellor from the exchequer sessions. We might well imagine that as the chancery, like the chamber, was still a part of the household, the need for a chamber seal would not have arisen. But the chancellor was no longer a mere official, of archidiaconal status at the best, and closely dependent on the household. He was now a great personage, generally a bishop, a magnate holding office for life. He was therefore much more independent of his master, and, moreover, so immersed in other duties that he was often compelled to be away from the court. Now no sealing was possible without the chancellor or his deputy, and it looks as if the court had now found the practical need for a special household seal, always ready for service, just as, under Henry II., the exchequer had done for a seal always at hand. Such a seal would naturally be "kept" in the chamber, so that it might always be available for the king's use. It is easy to believe that, while under Henry II. a chamber clerk, wishing to procure a royal writ, tested a writ of chancery to show his personal responsibility, by John's reign the same clerk drew up an instrument sealed by a small seal, kept by the king's household chamberlain and therefore more handy for an emergency than the chancellor's seal. Nevertheless we can hardly venture as yet to call the small seal in any full sense the chamber seal. To give it this name would imply a separation between the chancery and the household, which had not yet been reached.

At this stage, moreover, the unity of the secretarial departments of the household was not yet broken up. The chancellor still took cognisance of all documents. If his control of writs issuing from the exchequer was already little more than formal, it is clear that all other writs, by whatever seal they were

nostro signari si ea vellemus reddi ad scaccarium"; *Rot. Lit. Claus.* i. 114-115. The exchequer seal, whether still a duplicate of the "greater seal" or not, was only used for business arising in the exchequer. Mandates directed to the exchequer would therefore naturally be sealed with the "deambulatory" great seal, whatever the *Dialogus* may suggest to the contrary.

authenticated, were sent into chancery and recorded on some chancery roll. A letter close, sealed by the small or privy seal, under John, is still a letter of chancery, which the chancellor adopts, so to say, and enters with the letters, sealed with the "great" seal, on the roll of the year. Perhaps, as was the case with the exchequer seal, the chancellor still remained its nominal custodian, though some chamberlain or household clerk, whose duty necessarily kept him at the king's side, must have been in practice his deputy. Probably it would be safe to say that the chancery and the chamber were not yet differentiated in their secretarial relations. Both were mere aspects of the one household secretariat under the chancellor. It was natural then to enrol chamber documents on the chancellor's rolls, for rolls of chancery were still rolls of the household. This does not, however, long remain true. By another generation the chamber seal, like the exchequer seal, becomes freed from the chancellor's control. Like the exchequer, the chamber soon gets its secretariat, its writing department, of its own. It, or its offshoots, then become emphatically the household secretariat. The chancery to that extent was beginning to be extruded from the household, though not yet from the court. Consequently chancery rolls and household rolls become different things, just as the chancery seal and the household seal have become contrasted with each other. Thus arose a special feature of English administrative history, the existence, namely, of as many "secretariats" or "chanceries"[1] as there were seals. We shall later have to insist constantly upon this fact.

Not only letters close, but the more public letters patent,

[1] I use these terms with hesitation, because "secretariat" means properly the office of a "secretary," and when in the fourteenth century the king's secretary first became an important official and had an office of his own, it was called the signet office. Similarly, "chancery" should mean an office under a chancellor. But we all have no scruple in describing any writing office as a secretariat, and continental scholars constantly use "chancery" in an equally wide sense. They speak, for instance, of the "chancery" of the Roman emperors, or the Merovingian kings, and of many other writing offices whose head was not called chancellor. For clearness I have used "chancery," as a rule, only in its more limited sense. There is, moreover, mediaeval usage, both abroad and in England, for this wider use of the terms chancery and chancellor. The keeper of the secret seal of the king of Aragon was, in 1367, called "cancellarius sigilli secreti"; Delachenal, *Charles V.*, iii. 562. See also above, p. 19.

might, before the end of John's reign, be sealed with the small or privy seal. The first example that I have noticed of a letter patent under the privy seal is one addressed to William Brewer, and dated May 23, 1214.[1] On September 11, 1215, letters patent of safe conduct to William of Montagu are also sealed with John's privy seal,[2] as is a letter patent of May 1215 addressed to the king's bailiffs bidding them receive honourably the lord legate.[3] In all cases there is no apology for the use of the little seal; but in a letter of May 14, 1215, addressed to the justice of Ireland, John declared that he had sealed it with his privy seal because he had not his great seal with him.[4] In each of these instances, however, the letter patent under the small seal is treated exactly like the letter close. Whether or not the king apologised for the use of the less formal instrument, the letter, once issued, was enrolled in the chancery roll, just as if it had been authenticated by the great seal.

Up to this point, we have been dealing with letters under the privy seal, actually enrolled on the chancery rolls of John. They show that the privy seal had already its original or "missive" value at that time. The rolls of John also afford us evidence of many letters under the small seal which were not enrolled on patent or close roll, and whose existence is only known because they are quoted in the rolls as the authority, empowering the chancellor to issue a normal letter of the great seal. It is well known that in later times a special function of the privy seal was its use as an official warrant to the chancellor to draw up acts under the great seal. This very familiar use of the privy seal is already abundantly illustrated in the reign of John. So early as 1208, the chancellor's clerks enrol upon the close roll of the year a considerable number of letters to which is appended a note, for the information of the office, that the authority by which the document is drawn up is *per breue regis de paruo sigillo*, or *per literas domini regis de paruo sigillo*, or *per breue domini regis de paruo sigillo suo*.[5] The patent rolls of John

[1] *Rot. Lit. Pat.*, Rec. Com., p. 138. "Et in huius," etc., "has literas, priuato sigillo nostro sigillatas, vobis mittimus."

[2] *Ib.* p. 155. [3] *Ib.* p. 180.

[4] "Quia magnum sigillum cum nobis non habuimus," *ib.* p. 180, where are other letters of May 15 and 18 similarly authenticated.

[5] *Rot. Lit. Claus.* i. 102, 103, 104.

contain similar notes of warranty added to many of the documents entered upon them.[1] An important distinction arises from this. These letters of warranty under the small seals were not enrolled upon the patent or close roll, being essentially identical in content with the letters to which they gave rise. We can thus discriminate between letters under the small seal which were enrolled in the chancery and those which were not. Before long the letters so enrolled were so much the exception that the greater part of the business transacted under the small seal finds no place upon the chancery roll. This perhaps suggests from another point of view the tendency we have noted towards drawing a clearer line between the king's private or household letters and the official correspondence and writs of state. The small seal is, in fact, freeing itself from the control of chancery. Doubtless, gradually, the chamber clerks are becoming a special "chancery," or "secretariat," independent of the great royal chancery. To put the same thing in another way, the chancery is beginning to have a separate existence apart from the household. It is just entering on the course which the exchequer began two or three generations earlier.

Two small points can be noticed in passing. It was considered safer to send letters along dangerous roads when they were signed with the privy seal rather than with the great seal.[2] On the other hand, I have noticed in John's reign that all "warrants" recorded are under the small and not under the privy seal. Probably no stress can be laid on a distinction which is doubtless accidental. We may conclude, assuming the identity of the two seals, that the systematic use of the privy seal, such as we know was in vogue during and after the reign of Edward I., was already substantially in complete operation seventy years earlier, under Edward's grandfather.

[1] The earliest I have observed is dated May 8, 1212, "per breue de paruo sigillo," *Rot. Lit. Pat.* p. 92 (compare pp. 92, 93, 95, 96).

[2] *Rot. Lit. Pat.* p. 155, "propter viarum pericula priuato sigillo nostro fecimus sigillari" (Sept. 11, 1215).

SECTION V

The Development of the Wardrobe from the Chamber

The chancery rolls afford for the first time material for studying in some detail the nature and functions of the king's wardrobe. Up to now the wardrobe, so far as it is revealed to us at all, was but an insignificant dependency of the chamber. It was now soon to become a great deal more than this. With the help of John's chancery rolls we can trace in this reign the beginnings of the process by which the wardrobe branched off from the chamber, and became an independent office of the household.

Charter, patent, close and *liberate* rolls show that in the early years of the thirteenth century the *camera* was still an active body, which constantly received, and paid, considerable sums of money, independently of the exchequer,[1] and at which accounts could be rendered.[2] There is now increasing evidence that the *camera* was a place in which letters and charters were received and deposited.[3] It was also a place where the king's plate and other valuables were stored.[4] As the chief *thesaurus* was now a part of the exchequer, there was as much need for the *camera* to remain a treasure-house and a record office as there had been in the case of the *camera* of the Confessor and of the *thesaurus* of Henry I. and II. We also know that the *camera* now issued writs and documents on its own account, and that, at least by 1208, these cameral documents could be adequately authenticated by the king's *paruum sigillum*, and that this small seal was looked upon as singularly appropriate for chamber business. Its staff had also grown in dignity and numbers. If two chamberlains were now specially bound to the exchequer,

[1] *Rot. Lit. Pat., 1201–16*, p. 179 (the ransom of a prisoner), p. 192 (fines); *Rot. de Liberate, etc.*, pp. 14, 43, 61, 62, 74, 78, 79, 81, 86, 199.

[2] *Rot. Lit. Claus.* i. 12, "de quibus idem magister Benedictus compotum suum in camera nostra reddidit" (Oct. 16, 1204). Compare Madox, i. 388, from *Pipe, 3 John*, which records that the knights of the archbishop of Canterbury accounted in the exchequer for fifty marks received from the chamber, but paid no money there.

[3] *Rot. Lit. Pat., 1201–16*, pp. 42, 64, 73.

[4] *Ib.* p. 61 (April 3, 1206).

others were still attached to the chamber. These were, in later phrase, household or domestic chamberlains. Early in John's reign no less a person than Hubert de Burgh appears as *camerarius domini regis*,[1] and remains in that office until at least the end of 1205. Hubert was only at the beginning of his career, and he seems now to have been succeeded by Geoffrey de Neville, who is found acting as *camerarius regis* between 1207 and 1225.[2] Both were knights and laymen.

Attention has already been called to the chamberlainships which have nothing to do with the chamberlains of the court or of the exchequer. By the early years of the thirteenth century we can trace a succession of officers, who, though clearly distinct from these, are perhaps liable to be sometimes confused with them. These are the "king's chamberlains of London," sometimes called the "king's chamberlains of wines." These personages were court officers, though of much inferior status to the "king's chamberlain." They were generally London citizens, and were often called the king's butlers or prisers of wines. Though called a chamberlain, the London chamberlain was not attached to the chamberlain's department at all. His duty was to provide wines for the king's use, and he was appointed by the king on the recommendation of the steward. He belongs, in fact, to the *aula*, not to the *camera*.[3] Yet to this

[1] Hubert is first so called on April 28, 1200, *Rot. Cart.* p. 52, and afterwards on July 12, 1200; *ib.* p. 97, April 19, 1201; *ib.* p. 93 and June 10, 1201; Round, *C.D.F.* p. 517; *Rot. Lit. Claus.* i. 15, 16, 18, 30, 33. The last date is Nov. 28, 1205. For other references see *Rotuli de Liberate, etc., regnante Johanne*, of which the latest, p. 97, is in 1204. King's chamberlain was the ordinary Edwardian phrase for the household chamberlain.

[2] He is first mentioned as acting on Aug. 6, 1207; *Rot. Lit. Claus.* i. 90. He continues to act uninterruptedly until at least Aug. 17, 1225; *Royal Letters*, i. 262. He died before Dec. 26 of that year; *Rot. Lit. Claus.* ii. 90. A short governorship of Aquitaine took Neville away from court between 1218 and 1219; *C.P.R., 1216–25*, pp. 158, 250, 275; but he resumed his duties on his return, and, even when acting at Bordeaux, he is still described as chamberlain; *ib.* p. 245. Compare Shirley, *Royal Letters*, i. pp. 48-49, R.S. In 1225 Neville accompanied Richard of Cornwall to Gascony, where he wrote the letter in *ib.* i. 262. It looks as if he died in Gascony.

[3] This is clear from the subordination of these chamberlains of wines to the king's stewards shown, *e.g.*, in *C.P.R., 1258–66*, pp. 203, 242, 254. One royal steward, Roger de Leybourne, was actually on Dec. 5, 1263, chamberlain of Sandwich, *ib.* p. 524. There was already a king's chamberlain of London in 1204, *Rot. Lit. Claus.* i. 4, and the succession of these officers can be easily traced in the patent and close rolls, especially after 1253, when they began to be

undignified office a royal writ applies, on one occasion, the sounding description of "chamberlain of England," "keeper of the chamberlainship of England."[1]

The chamber was now more than a household office of finance, more than a domestic treasury, a *camera curie*. It was a "secretarial" office with a seal and a staff of clerks and writers of its own. Following in the footsteps of the exchequer, the chamber was in a fair way towards including a "chancery" within its sphere, and this body was not only a secretarial but also an administrative office. It is, therefore, of special importance to note the increase in number of the clerks of the chamber on whose shoulders the bulk of the administrative, writing and accounting work devolved. It is not impossible that Peter des Roches, notorious after 1205 as bishop of Winchester, may have worked his way into prominence in the chamber of Richard I. and John. In the former reign he appears as a chamberlain, and therefore probably as a layman and a knight.[2] Some entries in the

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appointed by patent; *C.P.R., 1247–1258*, pp. 180, 618; *ib., 1258–1266*, p. 305; *ib., 1272–1281*, p. 360; *ib., 1296–1302*, p. 251. Sometimes the king's chamberlains of London, like the later great wardrobe, provided robes for the court; *Rot. Lit. Claus.* i. 362 (1218). It is of this office that the London records remark, under Edward II., "et nota quod botellarius domini regis et camerarius domini regis et coronator (*i.e.* of the city) idem sunt"; *Liber Cust.* i. 296, R.S. The chamberlain of the city, that is the city treasurer, was quite a different person. For the city chamberlains see above, p. 89. Sometimes the offices were held together, as by Matthew of Colommiers, under Edward I.

[1] *C.C.R., 1231–34*, p. 386. An order to the bailiffs of Sandwich to obey "Simon, son of Mary, camerarius Anglie." He is later called "custos camerarie Anglie." His business at Sandwich is "ad prisas et emptiones vinorum," which phrase shows he is no real chamberlain. The national extension of his functions is curious, but may only suggest that he was not a household officer in the sense of close attachment to the court. He thus, like the justiciar, is called "of England," and perhaps for the same reason. Moreover, it may be suggested that the justiciar, like the chamberlain of wines, had a jurisdiction limited to England. This localisation of office would be analogous to the similar localisation of the functions of the seneschals of Poitou or Touraine, and the like, which we meet so often in records in quite early times. Contrariwise, the exchequer and chancery remained imperial to the whole Angevin empire as long as it endured. So late as 1202 English treasure could still be paid into the "Norman" exchequer now finally settled at Caen, and be acquitted in the exchequer at Westminster; *Rot. de Lib., etc.*, p. 24.

[2] Peter was apparently a chamberlain of Richard I. in 1198; W. E. Rhodes, in *D.N.B.*, from a French source. Originally a knight, he became a clerk before 1199. Yet long after he had been bishop of Winchester, his knowledge of military science was generally recognised; for instance, "episcopus in opere martio eruditus" of Wendover, iv. 19, E. H. Soc. Compare, too, *Histoire de Guillaume le Maréchal*, lines 16,998-16,999, Soc. H. Fr.

chancery rolls make it appear likely that he served as a clerk in John's chamber in the early years of his reign.[1] However this may be, six clerks of the chamber are recorded by name on John's patent rolls, and eight on his close rolls. In the early part of the reign the chief clerk seems to have been Thomas, *clericus de camera*, who certainly acted from 1202 to 1205.[2] He was probably at once succeeded by Philip of Lucy, who was perhaps not the same as the Philip, *clericus de camera*, mentioned with his *socii* in the year 1189.[3] Philip of Lucy went out of office on July 20, 1207. The terms on which John quitclaimed Philip on that occasion show how serious were the responsibilities of the working head of the chamber at this period. In return for a release from all receipts and advances, and for all arrears of his account, he was to render the king 1000 marks within three years.[4]

Philip of Lucy's successor, Richard Marsh, or *de Marisco*, remained at the chamber until he was raised from it direct to the chancellorship in 1214, working out his career on the lines of those of Walter of Coutances and William of Sainte-Mère-Église.[5] The fact that service in the chamber should be rewarded with the chancery is easily explicable when we remember that, now the chamber was becoming in substance the administrative and

[1] He received moneys *in camera* on Jan. 27 and 30, 1204; *Rot. de Liberate, etc.*, pp. 78, 79. Some of the entries of his name in *Rot. Lit. Claus.* i., notably on pp. 5, 14, 16, and in *Rot. Lit. Pat.* p. 48, increase the probability of his connection with the chamber.

[2] *Rot. Ch.* p. 109; *Rot. Lit. Claus.* i. 31-35; *Rot. Lit. Pat.* p. 7, where he is called "Thomas de Glemeh." He is generally distinguished from his subordinate, "Bartholomeus de camera, clericus," by being called "Thomas, clericus de camera," though in *Rot. Ch.* p. 114, he also is called "Thomas de camera, clericus." Some chamber receipts and warrants of 1205 have added to them the formula "litera Bartholomei de camera"; *Rot. Lit. Claus.* i. 35-36. Bartholomew was still "de camera, clericus" in 1221; *ib.* i. 451. Clearly a clerk of the chamber was higher than an officer of the chamber who happened to be a clerk. "Bartholomew of the chamber" was almost a surname. Perhaps, however, we refine too much. He is also "B. clericus de camera"; *ib.* i. 3.

[3] *Pipe, 1 Ric. I.* p. 207.

[4] *Rot. Lit. Pat.* p. 74. Several chamber mandates and receipts of 1205 are "per P. de Lucy" (*Rot. Lit. Claus.* i. 35-36), even before Thomas had ceased to be clerk.

[5] Richard de Marisco was "clericus de camera" by July 23, 1207; *Rot. Lit. Pat.* p. 74. Mr. Kingsford in the *D.N.B.*, following Madox, speaks of him as a clerk or officer of the exchequer, but I can find no authority for this statement. Under him Richard had a clerk, Robert de Marisco; *Rot. Lit. Pat.* p. 83.

writing department of the more domestic side of the household, its work was in this relation more closely analogous to that of the chancery than perhaps it had been under Henry II. Thus we find Richard, on at least two occasions, acting as temporary keeper of the seal, no doubt in the chancellor's absence, while he was still simple clerk of the chamber.[1] Moreover, many charters, ranging in dates from March 1211 to October 1213, were given *per manum Ricardi de Marisco*, a formula normally used for the chancellor, and that at times when Richard was not even keeping the seal.[2] Besides this, we find Richard, before he was chancellor, delivering money to the spigurnell for the purchase of wax for sealing the king's writs. The clerk of the chamber was, however, acting on behalf of the spigurnell, the official sealer of writs for the chancery.[3]

In other respects also chancery and chamber remain closely correlated. We have seen how under Henry II. a clerk of the chamber, William of Sainte-Mère-Église, attested as the sole witness the earliest writ of *liberate* now extant.[4] That same William is described a little later as proto-notary of Richard I., and the proto-notary was the third chancery officer under Richard I.[5] As writs of the chamber were often enrolled in chancery, it looks as if chancery clerks were concerned with the preparation of chamber writs, as well as writs of chancery proper. Even if writs were now of different qualities, there was still only one secretarial department. The interconnection of chancery and chamber is only less than that which, as we shall see,

[1] These occasions were up to Oct. 9, 1213; *Rot. Lit. Pat.* p. 105, and on Dec. 22, 1213, when John was preparing to go abroad; *ib.* p. 107. See Professor Powicke in *E.H.R.* xxiii. 226.

[2] *Rot. Ch.* pp. 186-202. The earliest date is March 1, 1211 (p. 188), and the last is Oct. 3, 1213 (p. 195). Of these very numerous acts five are curiously enough witnessed by Walter de Grey the chancellor, pp. 186, 187, 190 and 195, and it is hard to conceive a deputy acting in the presence of his chief.

[3] *Rot. Misae, 14 John*, in Cole, *Records*, p. 235. "Die dominica in festo Sancte Marie Magdalene apud Wodestoke ad ceram emendam ad sigillanda breuia domini regis xx *s.* liberatos Waltero Espigurnello per magistrum Ricardum de Marisco." This was on July 22, 1212, more than two years before Richard became chancellor. It is about this time that many charters were being given by his hand. This makes it easy to understand the mistake of Roger de Wendover (*Flores Hist.* iii. 237), who describes him as chancellor in 1211.

[4] See above, p. 95.

[5] *Foedera*, i. 75; Howden, iii. 209; and above, p. 134. Hubert Walter was perhaps proto-notary in 1189, and was afterwards chancellor.

existed between the chamber and wardrobe. There was, therefore, a limitation to our doctrine of the beginnings of a chamber secretariat. If it were there, it was only there in embryo.

Up to the reign of John, the development of the English *camera* has been on the normal lines of the growth of the curial and fiscal *camera* in most of the chief European states. The chamber was the important thing, and entirely overshadowed the organisation called the king's wardrobe, which was but an offshoot and dependency of the chamber. However, the early years of the thirteenth century saw great growth of the importance of the king's wardrobe in England. This ultimately resulted in the wardrobe having a special organisation of its own, which overlapped the older chamber organisation and made the younger institution practically independent, and in most ways more conspicuous and important than the chamber. Having survived with difficulty the development of its chief offspring, the exchequer, the chamber was now assailed for the second time by that insidious process of bifurcation of which mediaeval institutional history is so full. As regards the chamber, the result was to limit its progress, and stunt its further growth for a century. As regards the wardrobe, the results will be written at large in all that is still to come of the present work.

Even before John's reign there are references to a wardrobe department as already in existence, though we know little of its working and importance. Allusion has earlier been made to the *hrægelthegn*, or wardrobe servant, of the kings before the Conquest. After this we hear nothing of the royal wardrobe until it is revealed as a place of safe deposit in the early part of the reign of Henry II. It had now its staff and its own premises. So early as 1165 the pipe roll speaks of Gilbert the "wardrober,"[1] and in 1177 Gilbert is still described under that title.[2] In 1176 the sheriff of London and Middlesex accounts in the pipe roll of the year for a payment of 101*s.*, authorised by royal writ, to Alnoth, the engineer, "to make the king's wardrobe at West-

[1] "Et Gilleberto garderobario iiij *li.* et vij *s.* per breue regis"; *Pipe, 10 Hen. II.* p. 20.

[2] "Guislebertus Garde robb." witnesses a charter of Christmas 1177 at Angers; Round, *C.D.F.* p. 468.

minster."[1] There does not seem to have been any further development of the wardrobe for the rest of the twelfth century.

The first allusions to the wardrobe in the chancery rolls of John still speak of it simply as a place which can be rebuilt or repaired.[2] Next the term is extended to include the things deposited as well as the place of deposit. All through the reign, and for that matter in all subsequent reigns, the wardrobe is described as something which has to be carried about with the king on his journeys as part of his luggage. The details of these ceaseless migrations of the wardrobe are furnished in great abundance for the first time. If in a later age they go out of the chancery rolls, which record them under John, details, such as those we are about to quote, might be indefinitely multiplied, for the whole of the rest of our period, from the wardrobe accounts, when they begin their independent course. Our illustrations, then, will serve for the rest of our period, as well as for this particular reign.

At one time John's wardrobe was transported in two coffers and two long carts.[3] There is the carter of the wardrobe, who receives 3¼*d.* a day,[4] and there are the "nine cart horses of our wardrobe."[5] In one place John speaks of the ship by which his wardrobe is to be carried.[6] Generally, however, the transport of the wardrobe was effected by hired carts and horses, as when, in 1212, 3*s.* was paid for conveying the "harness of the wardrobe" from Lambeth to Odiham in two days.[7] Sometimes water transport was substituted for land haulage, as

[1] "Et Alnoth ingeniatori c et j *s.* ad faciendam warderobam regis de Westmonasterio per idem breue"; *Pipe, 23 Hen. II.* p. 198. In the same page Alnoth is recorded as receiving 20 marks "ad reparandam cameram regis apud Westmonasterium." "Camera" and "garderoba" are still very near each other.

[2] "Vicecomiti Oxon. Liberate W. Boistard, seruienti nostro, xvj *s.* . . . ad reparandam garderobam nostram apud Oxoniam," Sept. 6, 1205; *Rot. Lit. Claus.* i. 32.

[3] *Ib.* i. 182, "ij barhudos et ij longas carrectas de garderoba nostra"; cf. *ib.* p. 190, and *Rot. de Liberate, etc.* p. 97. "Barhudus" or "barhutus" is the modern French "bahut," "grand coffre bombé, employé au moyen âge pour serrer des vêtements, des objets précieux, etc."; Hatzfeld and Darmesteter, *Dict. de la langue française*, s.v. Its usage goes back to the thirteenth century; Godefroy, *Dictionnaire de l'ancien français.*

[4] *Rot. Lit. Claus.* i. 218; cf. *ib.* i. 192, 240.

[5] *Ib.* i. 159.

[6] *Ib.* i. 137.

[7] *Rot. Misae, 14 John*, in Cole, *Records*, p. 231; cf. p. 236.

when, in the same year, 4*d.* was paid for the hire of a boat to ferry the "harness of the wardrobe" from Westminster to Lambeth, at a time when London Bridge was broken down.[1] The constantly recurring phrase "harness of the wardrobe" included, we may remark, not only the arms and armour belonging to the royal household, but the saddles and trappings of the horses and the chests and bags, and the like, in which the articles belonging to the wardrobe were kept.[2] We may notice also reference to the transport of the "moneys of the wardrobe,"[3] and learn that the amount of specie in the wardrobe was upon occasion so great that it had to be stored in casks, and that mechanical means had to be taken to count it.[4] The privy purse was already divided between the chamber and the wardrobe, and it was specially annoying to John when he was forced to pay moneys from his wardrobe.[5] An advance from the exchequer was a much preferable way of getting rid of the king's obligations. The wardrobe was also a storehouse of valuables. Cups of silver and other plate were taken to it for custody.[6]

Even more important for our purpose is the testimony that the wardrobe had now become a place of deposit where charters and other important documents are delivered for safe custody. By 1213 the wardrobe collection of archives had become a considerable one. In that year we read of four chests being bought to hold the charters and writings in the wardrobe,[7] of two bags

[1] *Rot. Misae, 14 John*, in Cole, *Records*, p. 232.

[2] As for example in the phrase, "coffrez et autres harneys de la garderobe" in the "Household Ordinance of 1318"; *Pl. Edw. II.* p. 276. In 1305, a London cofferer, Walter of Bardney, was paid for making "harness for the wardrobe"; *C.P.R. 1301–7*, p. 299. This included "saddles, coffers, trunks, and other harness"; *ib.* p. 449.

[3] *Rot. Misae*, in Cole, p. 233, "eadem die apud Cnaresburgum in locagio unius carette ad binos equos, ferentis hernesium et denarios de garderoba, itinerantis per duos dies, scilicet de Tykhull usque Rowellum et deinde usque Cnaresburgum xx *d.*"

[4] Cole, p. 238, "pro quadam securi et uno martello . . . ad habendum in garderoba ad barillos ad denarios defundendos"; *ib.* p. 243, "pro uno panno ad numerandum denarios de garderoba." Compare *ib.* p. 205. The cloth was used for counting money, like the famous "exchequer" table.

[5] *Rot. Lit. Claus.* i. 257. If Hervey Belet cannot at once pay £20, "oportebit nos ipsos eam facere de denariis garderobe nostre; quod valde nobis ad presens graue erit et molestum" (March 30, 1216).

[6] Cole, p. 254.

[7] Cole, p. 238, "pro iiij scrineis ad imponendum cartas et scriptas in garderoba, xij *d.*"

purchased to contain the rolls of the wardrobe,[1] and of two more chests of wood to receive charters.[2] In the same year it is recorded that two "pairs of letters patent, directed to the king by the duke of Lorraine, were handed over to be guarded in the king's wardrobe."[3] Again in 1215 the letters of credence of the legate, and letters patent of the citizens of Winchester, were delivered for custody to the king's wardrobe.[4] There are other examples of the same sort, so that it is quite clear that in John's reign the wardrobe, like the exchequer, was a recognised place for diplomatic documents, and had, moreover, rolls of its own.

In John's reign the wardrobe was not only a place for keeping documents, but also a place where documents were drawn up. Reference has already been made to the rolls of the wardrobe. It would be tempting to believe that the *mise* and *praestita* rolls, some of which happily have survived for this period, were such rolls of the wardrobe.[5] These rolls, preserved among the archives of the exchequer, record payments made by the exchequer to the various departments of the royal household. They contain many entries of payments to the wardrobe, and large use has been made of these entries in the above description of its activity. But they also contain as many payments to the chamber, to the clerks and servants of the chancellor, and other royal officers. From the exchequer point of view it was indifferent where the money went, as long as it had authority to pay it. We cannot then regard these rolls as specially concerned with either wardrobe, chamber or chancery. They have, however, a very special interest for us as showing the concurrent action of these three departments under John. Nevertheless, the differentiation between wardrobe and chancery had gone so far that by 1215 the officers of the crown already drew as clear

[1] Cole, p. 239, "pro duabus bursis ad imponendum rotulos de garderoba xiiij *d.*"

[2] *Ib.* p. 240. [3] *Rot. Lit. Claus.* i. 132.

[4] *Rot. Lit. Pat.* pp. 140, 141, cf. *Rot. Lit. Claus.* i. 270; *Rot. Ch.* p. 191, "Hec carta liberata fuit in garderoba apud turrim Londoniarum" (1213). Other charters were then deposited in the exchequer; *ib.* p. 191.

[5] The two surviving mise rolls of John are for his 11th and 14th years. The former is printed in *Rot. de Liberate, etc.*, and the latter in Cole's *Records*, wherein is also printed the praestita roll of 7 John. The other surviving praestita roll of John, which is of the 12th year, is given in *Rot. de Liberate*, as above.

a distinction between the rolls of the chancery and the rolls of the wardrobe, as between them and the rolls of the exchequer which had been a separate court for the best part of a century.[1] When the chancellor and barons of the exchequer had occasion to inspect the rolls of the wardrobe, these latter had to be sent to them by the king. They were clearly, then, in immediate household custody.

It followed necessarily from this many-sided development of the wardrobe organisation that a strong staff was now necessary to carry on the business of the wardrobe. Under Henry II. we only read of one wardrobe officer, but under John the rolls bear witness that there was already a considerable number of menial servants of the wardrobe. Conspicuous among these was Odo, the carter of the wardrobe, who seems to have been the chief of the four carters, to whom liveries of robes and shoes are recorded in 1212.[2] Later in the same year, Odo is one of the eight carters of the wardrobe who have charge of twenty horses.[3] Besides these there were five *summetarii garderobe*, that is, sumpters, or drivers of pack-horses or other beasts of burden. The names of all these humble functionaries are duly recorded for this period.[4] Higher in the official rank no doubt were the "valets and sergeants of the wardrobe," such as "Perymus,"

[1] *Rot. Lit. Claus.* i. 183 (Jan. 24, 1215), "Rex Ricardo de Marisco, cancellario suo, et baronibus de scaccario salutem. Mandamus vobis quod, inspectis rotulis scaccarii nostri et wardrobe nostre quos vobis mittimus, et rotulis venerabilis patris nostri domini Wigornensis episcopi, qui ad vos venit cum rotulis suis, diligenter inquiratis . . . quot et quibus Flandrensibus feoda sua restant reddenda." Walter de Grey, consecrated bishop of Worcester, on Oct. 5, 1214, had already resigned the chancellorship which he had bought in 1205. His successor, Richard Marsh, the ex-clerk of the chamber, is first described as chancellor on Oct. 29, 1214; *Rot. Ch.* p. 202. The "rolls of the bishop of Worcester" are clearly chancery rolls for the period when Grey was chancellor, and which he had not yet surrendered to his successor. Earlier than this, in 1200, we have a reference to a roll kept by Hugh of Wells; *Rotuli de Oblatis et Finibus*, p. 74. It would be tempting to speculate on the nature of this roll. Hugh was a king's clerk who, in 1209, succeeded St. Hugh in the bishopric of Lincoln. He was, between 1204 and 1209, frequently acting as keeper of the king's seal; *Hist. de Guillaume le Maréchal*, lines 12,941-12,943; *Ann. Worc.* p. 397. He was certainly not chancellor, as Wendover, iii. 228, states, though he may have been vice-chancellor.

[2] Cole, p. 236.

[3] *Ib.* p. 242, "In expensis . . . Odonis carettarii, sibi octauo carettario garderobe, cum xx equis."

[4] *Ib.* p. 236. Their names were John "Cointance," Luke, Hugh, Ralph and Walter.

valet of the wardrobe in 1207, and Simon the Poitevin, "our sergeant of the wardrobe" in 1203, both of whom were sufficiently responsible to receive considerable sums of money.[1] Then there was Eudo, or Ives, *ostiarius garderobe*, in 1212 or 1213,[2] a still more responsible person, who took charge of the carts which carried the wardrobe from place to place, received and paid sums of money, and seems to have been charged with repairs of the wardrobe and its contents. Higher in position than any of the above-mentioned officers was Odo, *clericus de garderoba*, who certainly acted in this capacity from 1213[3] to 1215.[4] When the wardrobe had rolls of its own, it must have had a clerk to draft and keep them. To the clerk also specially appertained the receiving and keeping of documents deposited in the wardrobe archives. A clerk would naturally take command over inferior personnel of the office, the sumpters, carters, porters and their like. Odo, therefore, was in all probability the official head of the wardrobe, and we may almost be permitted to guess that we have in him the first known holder of the office, which later became so important under the title of keeper, or treasurer, of the wardrobe. Whether this be so or not, the evidence that has been collected is amply sufficient to prove that, before John's death, the wardrobe was already discharging exactly the same functions as those which seem to have been monopolised previously by the royal *camera*.

This overlapping of two offices in the joint performance of a common task was not at all unusual in the middle ages. No one had, in those days, the least regard for system or symmetry, and it was the commonest thing in the world when a new institution had been erected for a special purpose, that the older and less differentiated institution, from which it had sprung, should go on with its old work, just as if nothing had happened. Accord-

[1] *Rot. Lit. Pat.* p. 79, March 1207, "Liberate Perymo, valetto de garderoba nostra"; *Rot. Ch.* p. 105, "Liberate Simoni Poiteuin, seruienti nostro de garderoba."

[2] Cole, pp. 242-244, *et passim*. Eudes was still "Eudo de warderoba" in Oct. 7, 1216, when John, just before his death, made him a grant of lands in Devon and Cornwall; *Rot. Lit. Claus.* i. 290. He was clearly not the same as Odo the carter or Odo the clerk, despite the similarity of name.

[3] *Rot. Lit. Claus.* i. 132.

[4] *Rot. Lit. Pat.* p. 141. The date is May 20. He was possibly acting from 1211; *Praestita* in *Rot. de Liberate, etc.*, pp. 237-244.

ingly, the energy of the *camera* was in no wise lessened by the development of the wardrobe. For John's reign our materials, though fully adequate to prove the continued activity of the chamber, are insufficient to enable us to define with any precision the relations between the two. We may note, however, that payment for the same thing could be made at the same place, and on the same day to either chamber or wardrobe indifferently.[1] The two departments had a common staff, at least in the lower ranges, for we read of five men, mentioned explicitly by name, who are described in one passage as *summitarii de camera*, and in another as *summitarii de garderoba*.[2] Most significant of all the entries in this relation is the one which shows that in 1213 Ives, *ostiarius de garderoba*, spent two nights at the hospicium of Richard Marsh, then clerk of the *camera*, and that Ives took the wardrobe with him.[3] This clearly suggests that there still remained a certain subordination of the wardrobe to the chamber. However, it will be best to recur to this problem in the next reign. It will be enough to say here that the connection between the chamber and the wardrobe under John was as close as the relations of two institutions, which nevertheless preserve a separate identity, well can be.

[1] Thus on March 2, 1216, at Bedford, John received "in garderoba nostra" seven score marks "de tenseriis factis in castellaria de Saluato," and also received £331 : 10s. "in camera nostra, de tenseriis captis circa Beauueer"; *Rot. Lit. Pat.* p. 168.

[2] *Rot. de Liberate, etc.*, pp. 110, 118; cf. *ib.* pp. 122, 159.

[3] *Rot. Misae, 14 John*, in Cole, p. 256.

SECTION VI

The Chamber outside England

The restriction of the cameral organisation of the English king's court, brought about, firstly, by the establishment of the exchequer, and, afterwards, by the growth of the wardrobe, was the more remarkable since chamber organisation was widely diffused, not only over England but also over all western Europe. Not only every king and reigning prince, but every bishop, abbot, town and baron in Christendom possessed a *camera*.[1] In France every bishop had his cameral seal. In England and Germany "cameral rents" were well known to law as annuities, which, as they must issue out of something, issued out of the grantor's chamber.[2] The doctrine of English lawyers as to these private chambers throws some light on what men conceived to be the nature of the king's chamber. "A man's chamber," says Bracton, "is the place where he keeps what treasure he has."[3] Accordingly, the mediaeval magnate's chamber was his financial office. The "chamber" of a royal forest was the place where the forest revenue was accounted for, and collected.[4] The *camera* of London and other cities was substantially the treasurer's department, and the chamberlain of a municipality was, and sometimes still is, its treasurer. In 1377 the Londoners declared that their city was the king's chamber,[5] apparently because of the large proportion of the royal revenue derived from it. By

[1] For an early English example, see J. H. Round, *Geoffrey de Mandeville*, p. 190, where is a grant of the reign of Stephen, made by the abbot of Bury St. Edmunds to Aubrey, count of Guînes, of "centum solidos ad pascham de camera nostra."

[2] An example may be quoted of an annual grant of 10 marks "de camera nostra" made in 1283 by bishop Swinfield, of Hereford, to a well-connected boy of ten whom the bishop had refused to appoint to a prebend despite a royal recommendation; *Registrum R. de Swinfield*, p. 14 (C. and Y. Soc. 1909). For the whole subject of "cameral rents," see Pollock and Maitland, *History of English Law*, ii. 132-133 (1895).

[3] Bracton's *Note Book*, pp. 52, 439.

[4] For the *camera in foresta regia Pecci*, see J. C. Cox, *The Royal Forests of England*, pp. 152, 168, 171.

[5] Walsingham, *Hist. Anglicana*, i. 329.

an analogous extension of the term any rich and fertile country, apt therefore for exploitation, was the "chamber" of the plunderer. Thus in the fourteenth century it was believed that king Arthur had called Norway *camera Britannie*,[1] while companies of English mercenaries, expelled from Aquitaine by the Black Prince, sought a new land to pillage in France, naming it "their chamber."[2]

In the same fashion as municipal officers, the chamberlains of the thirteenth century palatinates of north Wales and west Wales, and Chester, were the financial agents of the prince or earl. Similarly the financial organisation of the Scottish monarchy, based originally, like the English palatinates upon the household of a feudal magnate, centred round a chief financial officer called the chamberlain. Except for the one unfortunate experiment of Edward I., not repeated even by the subsequent English pretenders to rule, it was not until the fifteenth century that treasurers began in Scotland. That these chamberlains of Wales, Chester and Scotland controlled financial offices called exchequers is just what early English usage would have suggested as natural.

The term chamber was sometimes used in a still vaguer sense, as may be illustrated by the saying of a judge of Edward II.'s time, that "a man's chamber is the place where he lives."[3] In London, a "widow's chamber" was by local custom the right which a widow had to regard as her property for life that part of her husband's house which in his lifetime she had jointly occupied with him.[4] In short, wherever *camera* is used, even in a somewhat indefinite sense, it is sure to have something to do with finance.

The predominatingly financial character of the *camera* was even more emphasised on the continent than in England. In most of the better organised states of the west, the chamber was the chief financial authority, corresponding to our English exchequer. The importance of the papal *camera apostolica* is well known. It was, however, simply the supreme financial

[1] *Liber Custumarum*, ii. 641.

[2] Froissart, *Chron.* vii. 65, ed. Luce, "et entrerent en France qu'il appelloient *leur cambre*." This was in 1367.

[3] *Year Books, 3 Edw. II.* p. 137 (S. Soc. 1905).

[4] *Cal. of Wills, proved in Court of Husting*, i. xl

organisation of the papacy under the *camerarius*,[1] and was quite independent of the papal chancery, the supreme administrative body.[2] The imperial *Kammer* was also a financial organisation, and also independent of the chancery, though including in it clerks who were also sometimes chancery officials.[3] It was not until the age of Sigismund of Luxemburg that we first hear of a judicial *Kammer*, a *Kammergericht*.

More closely related to English history than these is the chamber of the kings of France. The original French chamber, like our twelfth century *camera curie*, was, to begin with, simply one of the *ministeria hospicii*, the financial and administrative department of the royal household. Here again administrative development was almost a century behindhand in France as compared with England, so that it was not until the latter part of the reign of St. Louis that the French king's *camera* acquired something like an independent life of its own as the *camera denariorum, la chambre aux deniers*. As a result of this development the *camera denariorum* assumed by the latter part of the thirteenth century almost exactly the same position at the French court which, as we shall soon see, the wardrobe, the true successor of the early English *camera*, held in England.[4]

Like its English equivalent, the *camera* of France had its administrative as well as its financial side. Its heads, the chamberlains, included in the next generation persons so mighty

[1] Bresslau, i. 228. Baumgarten, *Aus Kanzlei und Kammer* (Freiburg i/B. 1907), deals fully with certain aspects of the papal chancery, but says little about the chamber. It was to the "camera apostolica" that the "tribute" which John pledged England to pay was rendered. The record of the payment for 1289 runs as follows: "et in camera domini Nicholai, summi pontificis in curia romana, per mille marcas census annui in eadem camera debitas pro regno Anglie"; *Pipe, 21 Ed. I.* m. 26d. It is not always remembered that Edward I. continued to acknowledge the obligation of his predecessors to the papal curia in this respect.

[2] In the papal chancery the term *camera* was also used to indicate the subdivisions of the four chief offices into which it was divided; Giry, p. 686.

[3] Bresslau, p. 408.

[4] This was recognised in England as early as the reign of Edward I. See especially the striking passage in Fleta, p. 78, "que (*i.e.* garderoba sua) est locus clericis tantum assignatus que in Francia camera clericorum appellatur." So late as 1290, if the wardrobe had to be explained in language intelligible in France, it had to be called a *camera*. M. Ch. V. Langlois in Lavisse's *Hist. de France, 1226–1328*, iii., ii. p. 325, gives an excellent summary of the growth of the chamber in France.

as Peter de la Broce and Enguerrand de Marigny.[1] When, the best part of a century after England, the French king employed a "small" or "secret" seal, it became, as in England, the seal of the chamber, and we are told, with a clearness which English documents do not vouchsafe us, that one of the chamberlains acted as the keeper of the king's secret seal.[2] This chamberlain thus, necessarily, became more of an administrator than a financier, especially as the province of the French secret seal was even wider than that of its English equivalent, the privy seal. In particular the work of the *sceau de secret* included the authentication of all letters close,[3] which in England normally fell within the province of the great seal. So important had the chamberlains become in politics that they abandoned the administration of the household finances altogether. As a result the chamber of which they were the heads became separate from the *chambre aux deniers*.

Side by side with this increasingly specialised *camera denariorum*, a special commission of the *curia regis* was also established for the verification of accounts. This body, also called at first *camera denariorum*, became permanently fixed in the old royal palace in the island of the *cité* of Paris, and early in the fourteenth century was known as the *camera compotorum*, *la chambre des comptes*. This completed its organisation when it reduced to dependence upon itself the treasurers who had hitherto administered the national as opposed to the household finances of the king.[4] Henceforth the *chambre des comptes* is a fairly

[1] Viollet, ii. 124. M. Viollet goes a little astray when he says, "Le rôle financier des *camerarii* se continue beaucoup plus longtemps en Angleterre." The text on which he relies is one of the myriad orders for payment addressed to the treasurer and chamberlains of the exchequer. Of the special position of the chamberlains of the exchequer he seems to have no knowledge. The king's chamberlains were the real "camerarii" in his sense.

[2] *Ordonnances*, i. 668 (1318), "Celi de nos chamberlains qui portera le scel de nostre secret"; cf. Bardin's chronicle in *Hist. gén. de Languedoc*, tome x., preuves, col. 30 (éd. Privat), which speaks of the act suppressing the parliament of Toulouse in 1312 as sealed "sigillo secreto, cuius custodiam habebat cambellanus."

[3] Delisle, *Notes sur les sceaux des lettres closes*, in *Bibl. de l'École des Chartes*, 4e série, tome ii. 533-537 (1865), shows that the methods of folding and concealing the contents of "letters close" involved the use of a smaller seal than the "great seal ordinarily was." Compare above, pp. 137-138, 147, and 153.

[4] Boutaric, *La France sous Philippe le Bel*, p 240. Ch. V. Langlois, *Hist. de France, 1226–1328*, pp. 331-336, gives a good summary of the early history of the "chambre des comptes."

exact counterpart of our English exchequer, sharing among other things its permanent establishment in the capital, and therefore in as much separation from the court as the intensely household character of the French offices of state made possible. Unlike our exchequer, it did not for many generations possess a secretariat of its own, virtually independent of the chancery.

After the evolution of the curial *camera denariorum* into the *chambre des comptes*, the term *camera denariorum* became rigidly confined to the office of household finance. The withdrawal of the *camerarius* from it had left the institution mainly a *camera clericorum*. All through the fourteenth century this *camera denariorum* stood beside the *camera compotorum*, much as the Edwardian wardrobe in its financial aspect stood side by side with the English exchequer. At its head was a "master" corresponding to our keeper, and next him a *contrerolleur au chambre aus deniers*,[1] who was even in name the equivalent of our controller of the wardrobe. As in England, the household financial organisation overlapped that of the state, and a large proportion of the military expenses of the crown were regarded as belonging to its private expenses.[2] As in England, the wages of household servants were sometimes paid in the *camera* and sometimes in the national treasury.[3] In both countries alike the domestic financial establishment was more or less subjected to the control of the national institution.[4] But the course of French history differed after the fourteenth century to this extent from English history, that the public administrative offices in autocratic France retained longer the traces of their curialist origin than was the case in constitutional, or rather aristocratic, England.

Another difference of cameral development in England and France is especially brought out by the fact that there was no French wardrobe powerful enough to interfere with the untrammelled development of the king's chamber. What we may shrewdly guess was the case in twelfth century England, con-

[1] *Ordonnances*, iii. 392, "Mestre Jehan le Coq" was "mestre" in Jan. 27, 1359, and "Mestre Gueroy," "contrerolleur."

[2] *Ib.* i. 661.

[3] *Ib.* i. 659, 679, iii. 162.

[4] *Ib.* i. 658; cf. ii. 97, enacting that clerks of the hôtel are to account twice a year "au mestre de la chambre aus deniers de nostre hostel," and once a year "aus gens de nos comptes à Paris" (1338).

tinued to prevail in France for the whole of the period in which we are interested. The crucial thing for us, therefore, is the fact that in France the chamberlain and his underlings definitely had the direction, not only of the royal chamber, but of the wardrobe annexed to it. In 1318 the chamberlains of Philip V. still had charge of that king's wardrobe as an incident involved in their custody of the royal chamber. It was as much the chamberlain's business to see that "no person of mean estate" entered the king's wardrobe as to prevent him from intruding into the service of the chamber.[1] The result of this was that the French wardrobe never became an "office" or household or government department. It remains merely a place, the king's ante-chamber or dressing-room. So far as it was an office, it was a dependency of the chamber, and therefore destitute of political or constitutional importance. Herein lies a small but characteristic difference between the courts of the two countries. In France the wardrobe and chamber remained one, by reason of the subordination of the wardrobe to the officers of the chamber. In England the early thirteenth century saw the differentiation of wardrobe and chamber as separate household offices.

[1] See hostel ordinance of Philip V., dated Nov. 16, 1318, in *Ordonnances*, i. 670, "Chargeons nos chambellains que nulle personne mescongüe, ne garçon de petit estat, ne entre *en nostre garderobe*, ne mettent main, ne soient à nostre lit faire." Compare *Observations curieuses sur l'estat et gouvernement de la France*, p. 11 (1649); quoted in Viollet, ii. 123, "le grand chambellan a également puissance sur tous les maîtres et valets de la garderobe."

CHAPTER V

THE EARLY YEARS OF HENRY III

1216–1234

SECTION I

Administrative Machinery in the Early Thirteenth Century

We have now covered the preliminary stages of our investigation, and have reached a period in which sources abound, and in which each of the chief institutions with which we are concerned has already become an accomplished fact. The chamber, the wardrobe, and their instrument, the privy seal, are now actively in existence, though their operations cannot as yet be fully disentangled from each other or from the other administrative machinery of the state. Moreover, the normal fluidity of all mediaeval institutions was strongly emphasised by the conditions of an age of abrupt transition and constant modification of the conditions of government. It will therefore be well, perhaps, before we proceed further with our proper subject, to pause for a moment and briefly describe the permanent machinery by which the central government of England was carried on in the time when the Angevin system came to a head in the early years of the thirteenth century, and when, surviving the fall of the autocracy under John, it became part of the common tradition of crown and baronage at the time when the constitution was to assume a new and broader character. When we have accomplished this, we can limit our attention to our proper subject more severely than circumstances have hitherto made practicable. Our first course will be to pursue its general development with some attention to chronology, reign by reign, for the rest of our

period. When this has been accomplished, it will be easier to describe separately the various aspects of it.

The great feature of the history of administration, as we approach the thirteenth century, is the rapid disintegration of the *curia regis*. The court circle of warriors and clerks, by whose aid the Angevin kings had made great advances in the direction of making their empire a single state and had kept it in order, had lost its original unity of character and simplicity of organisation. The loss of Normandy had definitely localised its scope to a region of which England was by far the predominating part. Within this narrower sphere it had made England a united state. It was now gradually developing offshoots from which arose all the government departments of later mediaeval times, and, less directly, many of those of quite modern days. With this process, modern administrative history has its true beginnings.

The break-up of the *curia* had already proceeded apace. We have already seen how, by the reign of Henry II., the exchequer had become almost entirely separated from it. Under John, the most practically important of the law courts, the "common bench," which heard *placita in banco*, the pleas of subject against subject, was similarly differentiated from the *curia regis* by the same process of being permanently located at Westminster, hard by the established offices of the long sedentary exchequer. Moreover, the *placita coram rege*, the hard cases reserved to the king's personal judgement, though still itinerating with the movements of royalty, were becoming entrusted in practice to a limited staff of judges, with the result that in the course of the thirteenth century we have another law court, the "king's bench" in more modern phrase, split off from the central *curia*. We have nothing to do with these purely judicial organisations, though their separation from the court should be mentioned here, because it emphasises the general tendency towards the disintegration of the *curia*. We have not much more to say about the exchequer, except to reiterate that its treasurer and barons did not succeed in obtaining a monopoly of the administration of the royal finances. Over against the national treasury stood, under Henry II., the *camera curie*: under John, both the *camera* and the *garderoba*. By these court organisations the ancient traditions of household

finance were still carried on, and if we call *camera* and *garderoba* one, the king still had two treasuries, the exchequer and the household treasury, or three treasuries, if we can venture to regard the chamber and the wardrobe as separate organisations. There was still to be a struggle, probably an unconscious struggle, between the exchequer and the household departments. There was still to be further differentiation between the two household financial departments.

In the earlier part of Henry III.'s reign, the wardrobe loses its dependence on the *camera*, and becomes the chief and most conspicuous department of domestic finance. When household accounts begin, they are accounts of the wardrobe, not of the chamber. Soon after Henry III.'s minority, the chamber retreats into an obscurity from which it does not emerge for nearly a hundred years. If it still remained a second domestic treasury, its operations have been largely lost to history.

The financial aspect of the wardrobe is the one best known to us, but that may be largely due to the accident that our knowledge of its operations at this stage comes to us through the exchequer records, which are naturally concerned with finance. For the wardrobe, unlike the chamber, stood in some sort of subordination to the exchequer, and perhaps owed its new development to this fact. It depended on the exchequer for a large part of its income. Despite occasional reluctance, it rendered its accounts to the exchequer. Yet the financial side of the wardrobe certainly does not yield in interest and importance to its administrative side, and the chamber, when it ceased to be of great importance financially, always retained considerable executive authority. But the administrative importance of wardrobe and chamber can only be considered in their relation to the great administrative department of the household, the chancery. If, on the financial side, wardrobe and chamber have to be measured against the extra-curial department of the exchequer, from the administrative point of view they have to make their way at the expense of the chancery, though the chancery, like wardrobe and chamber, was still not much more than a sub-department of the king's domestic establishment. And the unity of the monarchical system, partially broken up by the going out of court of the exchequer and the two

benches, had now its last stronghold in the domestic surroundings of the monarch.

Under a strong king like Henry II. there could hardly have been a contest between the various branches of the government, or still less between the various offices of his household. The long minority and the longer weak majority of Henry III. gave ample opportunities for opposing tendencies to work themselves out. More than this, a new element came on the scene with the break-up of the Angevin autocracy, after the baronage had been able to wrest the Great Charter from John, and obtain a large measure of control of the government of Henry III. The leaders of the constitutional baronage, clerical and lay, henceforward regarded it as their business to secure that the policy of the crown should be to their liking, and to ensure that the "natural counsellors of the crown" should have a large share in its administration. Besides the limited and decorous conflict of servants of a common master, anxious to extend the sphere of their own particular office, we have now to face the broader and fiercer struggle of the king and his barons, of the rival claims of autocracy and aristocracy. This struggle, the great event of Henry III.'s reign, could not but exercise considerable influence in modifying the character of our administrative history. Perhaps for the moment its influence in this direction was not so profound as might have been expected. King and barons fought in order that they might control the administrative machine rather than with the object of modifying its constitution. Now, if not earlier, the baronage generally accepted the centralised institutions of the monarchy, and only sought to utilise them to its own advantage, and staff them with its own men. Just as the radical French republic remains content to rule France through the administrative machinery fashioned by Napoleon, so the thirteenth century baronage was content to take and work through its own nominees the system of centralised autocracy perfected by Henry II.

Nevertheless, during Henry III.'s reign important modifications were being brought about in the administrative institutions of the English state. One has been foreshadowed already, namely the differentiation of the wardrobe from the chamber, and its establishment as the strongest branch of household finance and

administration. However, the wardrobe could only become the centre of curialist administration when the chancery had ceased to be a mere branch of the domestic establishment of the monarchy. The beginnings of the separation of chancery and household, the first stages of an independent "court" of chancery, were perhaps already discernible in the early years of the thirteenth century. The slow working out of this process was, after the growth of the wardrobe, among the most important new developments in English administrative history in the reign of Henry III., though it had not reached very far when Henry died. It had, however, advanced enough by that time to make it possible for the wardrobe to stand out as a sort of "domestic chancery," over against the chancery itself, which now, like the exchequer, was becoming national rather than merely curial. The distinction between the privy seal of the household and the great seal of the chancery emphasised this tendency towards the separation of the domestic and political branches of the executive.

It would be rash to maintain that constitutional and political considerations played an important part in bringing about the division of the task of ruling England between a national administration, controlled by the chancellor, and a court executive, controlled by the clerks of the wardrobe. It is true that the barons sometimes found it to their advantage to glorify the chancery and secure for the post of chancellor an official after their own heart, and that they therefore may have helped in the process of removing the chancery out of the court. It is equally true that the king, finding the chancellor had a strong position of his own, often thought it was to his interest to depress the chancery, and keep it directly under his control as an office of the household. Yet king and barons had a common interest in the chancery becoming a perfect piece of machinery and the chancellor a strong minister, provided, of course, that chancery and chancellor were properly attuned to their respective policies. As a matter of fact, both king and barons contributed almost equally to the process by which the chancery went out of the household. In truth, considerations of convenience, the imperative necessity for greater differentiation of functions as the state became more complex, more modern, more national, were the chief motives which inspired the change, and these motives

influenced the crown and the barons almost equally. The separation between the state and the household was due to inherent political necessity. It was, however, brought about much more quickly in England, because of the strength of the baronial power at the critical time of the process. In France the continued existence of a strong monarchy long kept all the administrative departments closely related to the court, and when they went out of court they retained many traces of their original dependence.

The process thus indicated was only begun under Henry III. It was, to some extent, retarded under Edward I., when conditions more nearly resembling those of France prevailed. It was substantially completed through the weakness of Edward II., and the last stages were worked out owing to the financial necessities of Edward III. In these two reigns the conflict of state and household machinery assumes real political and constitutional importance, the foreshadowings of which can be faintly discerned in the latter part of the reign of Henry III.

When John's power passed on to the ministers of Henry III., the chancery was, from many points of view, still almost as much a department of the household as it had been in the days of the compilation of the *Constitutio Domus regis*. The chancellor still "followed the court," but the collapse of the Angevin empire made him predominantly an English minister in a way in which he had never been before. He still received board and lodging in the household, and a share of the king's religious offerings as part of the emoluments of his office. There had been royal scribes and a master of the writing office under Henry I. and Henry II.; there was a proto-notary, who perhaps continued the latter office, under Richard and John. But under Henry III. there are signs of reaction. I can find neither scribes nor proto-notary in the new reign. The writs of chancery were drawn up by the king's chaplains, the *clerici de capella*. It shows how little differentiated the chancellor's office still was that, at a time when the rolls tell us of clerks of the chamber, and clerks of the wardrobe, they are still silent as to whether the *clerici de cancellaria*, as such, were as yet in existence.[1] Though one of these court chaplains might

[1] See for this later, p. 186.

upon occasion keep the seal on his master's behalf, and in the event of a long separation between chancellor and seal, act as vice-chancellor,[1] there could not have been among them the same strong corporate feeling, the same active departmental tradition that had long bound together the officers of the exchequer. Their duty was to the king and court as a whole, rather than to the chancellor in particular. Even the development of chancery enrolments, which added greatly to the importance of the chancery staff, did not, in the earlier stages, do much to separate the chancery from the other household offices. The court chaplains enrolled upon their rolls writs of the small seal equally with writs of the great seal. There is no clear delimitation of functions. The *camera* pressed on the chancery, as it also impinged upon the exchequer.

The multiplication of seals added to the chancellor's duties, but diffused his energies and tended to retard the development of his department. He still had responsibilities in the exchequer, and at least the nominal charge of the exchequer seal.[2] It is

[1] The frequency with which a vice-chancellor does the chancellor's work is a feature of this period. Richard I. left the chancellor in England with a small seal, and took a vice-chancellor with the great seal to the Holy Land. A regular fee for the vice-chancellor was provided for by John in 1199; *Foedera*, i. 77. Hugh of Wells, afterwards bishop of Lincoln, and Richard Marsh were, as we have seen, vice-chancellors under Walter Grey. For the vice-chancellorship of Ralph Neville, see note 2 below, and, later, pp. 184-185. When acting, the vice-chancellor seems to have had all the chancellor's powers. Even if nominated by the chancellor, he was directly obedient to the king or justiciar.

[2] A special connection of Ralph Neville, the vice-chancellor in 1219, with the exchequer seems suggested by a series of six letters to him from the legate Pandulf, printed in *Royal Letters*, i. 112-121, the true dates of which, as Professor Powicke, *E.H.R.* xxiii. 220-232, has first shown, range from April 30 to May 26, 1219, within which period the aged regent, William Marshall, died on May 14. In these Pandulf exhorts Neville to show all diligence "circa factum scaccarii," and orders him to take care "ne sigillum a scaccario pro alicuius mandato recedat." I suspect, however, that the "factum scaccarii" here is simply the ordinary Easter session of the exchequer, which began on the morrow of the "Close of Easter" (Hall, *Antiq. of Exchequer*, p. 114), which this year was on April 15. In all the exchequer sessions the chancellor still had the right to take a part. Pandulf's object, I imagine, was not to keep the great seal safe, but to secure the collection of the revenue at a time when the marshal's death was likely to make Pandulf sole regent. The legate thought that the presence of the vice-chancellor, as well as that of the treasurer, would further this object, and where the vice-chancellor went his seal naturally went also. I regard "sigillum" here as meaning the great seal, for there would be no need to order that the exchequer seal should remain in the exchequer, since it was always there. This view explains Pandulf's phrase which Professor Powicke found puzzling, "quoniam sic et scaccarii processus et regis impediretur utilitas."

not even impossible that the small seal itself may at first have been, formally at least, within his sphere. For the essence of a chancellor was that he kept seals. Not only was this the case with the chancellors of kings and princes. It was equally true for the chancellor of every bishop and of every chapter throughout Christendom.

The increasing complexity of administrative machinery, the ever-growing demand for chancery writs, the development of the system of enrolment, no doubt did something to strengthen the chancery as an office. Nevertheless the chief strides towards independence, made by the chancery during the early thirteenth century, were due, not so much to the power of the office as to the personal importance of the individual chancellors. Even if a dependent royal clerk was appointed chancellor, he was soon raised to a bishopric, for the ancient tradition of the chancellor resigning on becoming a bishop was being rapidly forgotten. Of the five chancellors of Richard and John, two only, Eustace and Walter Grey, gave up office when they became bishops of Ely and Worcester respectively. One, William Longchamp, simultaneously became bishop of Ely and chancellor, and another, Hubert Walter, had been for some years archbishop of Canterbury before he took up this post. The fifth, Richard Marsh, tenaciously combined the chancery with the bishopric of Durham. His

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When the revenue had been collected, it was to be deposited in the Temple; when that was done, the vice-chancellor could go where he liked. If, however, he carried out his projected pilgrimage to Canterbury, he was to deposit the king's seal in the Temple during his absence from London. I cannot believe that the seal was normally kept in the exchequer, even in the troubled days of Henry III. Still less is it likely that Ralph Neville was chancellor of the exchequer. See above, pp. 146-147. I also regard it as impossible that Neville was a chamberlain of the exchequer, as Professor Powicke suggests. Miss Norgate (*Minority of Hen. III.* p. 114), who follows Professor Powicke almost too closely, shares my doubts as to Neville being a chamberlain of that office. It is somewhat rash to assume that because there was a chamberlain named Ralph, that this Ralph was Ralph Neville. The chamberlainships were hereditary offices, held at that period by laymen. Dr. Shirley's formula, "vice-chancellor for the business of the exchequer" (Introd. to *Royal Letters*, i. xix) seems to me quite misleading. The close association of the chancellor with the treasurer in exchequer affairs in April–May 1219 has a somewhat archaic flavour. Yet under John the chancellor was often included with the exchequer officers in royal mandates concerning exchequer affairs. I have quoted one such writ addressed to chancellor and barons in note, p. 167 above. There are two writs addressed to chancellor, treasurer and chamberlains on the same page of the close roll as that from which this example was taken; *Rot. Lit. Claus.* i. 183.

successor, Ralph Neville, was bishop of Chichester when he was definitely appointed chancellor.

Even more than the combination of the chancery with a bishopric, the habit of purchasing the office of chancellor strengthened the independence of the holders of that charge.[1] When a minister had paid heavily for his office, it required a very strong king to be able to get rid of him before he had got value for his money. Moreover, the prudent purchaser of the chancery at a high figure seems to have been able to stipulate that he should hold office for life.[2] In return for his outlay, the chancellor made what money he could by the sale of writs, often no doubt illegitimately enhancing the customary profits of the seal. There is no wonder that, under kings who were absentees, capricious, unpopular, and weak, a chancellor for life acquired a very independent position. The result was seen in the obstinate retention of the chancellorship by Richard Marsh, "a clerk of the household and morals of king John,"[3] when preoccupations in his northern see, long absence at the papal *curia*, and, finally, blindness, made it impossible for him to discharge its duties. Despite all this, when bishop Richard died in 1226, the rulers of England in Henry III.'s name burdened the realm with another irremovable chancellor in the former vice-chancellor, Ralph Neville, bishop of Chichester.

One result of this growth of the dignity of the office was that the prelate-chancellors for life had adequate households of their own, and there were good practical reasons why their subordinates in the chancery should, for simple motives of convenience, be entertained and lodged with the chancellor rather than with the king. It is perhaps not without significance that we now begin to find a distinction arising between the staff of the chancery and the staff of the chapel. We have, after 1232, *clerici de can-*

[1] In Norman times the chancery was sold as a matter of business, and the price recorded in the pipe rolls. Geoffrey the chancellor paid, or rather owed, £3006 : 13 : 4, "pro sigillo"; *Pipe, 31 Hen. I.* p. 140. In our period Longchamp is said to have given £3100 for the chancery; Richard of Devizes, p. 9. Walter Grey paid 5000 marks, an amount which was duly set down in the rolls; *Rot. de Fin.* p. 378.

[2] Walter Grey was granted the chancery in 1205, "quamdiu vixerit"; *Foedera*, i. 93. Ralph Neville also was appointed chancellor for life on Feb. 12, 1227, and again on June 14, 1232; *C. Ch. R.* i. 9, 156.

[3] Wendover, *Flores Hist.* iv. 46.

cellaria as well as *clerici de capella*.[1] Perhaps the separation between king and chancellor, between May and October 1230, when Henry was in France and the chancellor was in England, emphasised the unreality of assuming that the writers for the seal were also necessarily the ministers of the royal chapel. The result is that there was again, as under Henry I. and II., a writing staff organised as an office. But the office was no longer the *scriptorium regis*, but the *cancellaria regis*.

At last in 1238 Henry III. quarrelled with his chancellor whom he could not remove. The breach between the king and Neville began to suggest that the strengthening of the office of the chancery was a possible means of neutralising the importance of an irresponsible chancellor. Nevertheless, the excellent way in which the chancery rolls were kept during all Henry's minority, and the enormous number of writs recorded in them, showed sufficiently that the office and the keeper of the seal were doing their work competently, during their constant wanderings about the country with the seal, in the train of the young king and his minister. There is no evidence that the daily routine of the chancery was disturbed, even for the period between 1216 and 1218, when the infant king had no seal of his own, so that writs

[1] The earliest reference to a "clericus cancellarie" that I can find is *C.R., 1231–34*, p. 120, dated on Oct. 22, 1232, when the king remitted an amercement incurred by Ralph Peveril, "clericus de cancellaria sua." Other early instances include *R.G.* i. 113, Feb. 14, 1242, "quia singulis clericis de cancellaria nostra qui nobiscum transfretaverunt benefacere intendimus"; compare *ib.* i. 131, June 1, 1242, "G. de Wolwarde, et sociis suis clericis de cancellaria," and *C.R., 1242–7*, p. 275, where firewood is granted on Dec. 10, 1244, "ad opus clericorum de cancellaria." By May 29, 1245, the chancery clerks already have their *hospicium* with its *stabulum*; for the repair of which the *hospes* of the clerks receives a grant of timber; *ib.* p. 312. Yet on May 28, 1254, the "servientes capelle" are still regularly employed "in sigillacione brevium regis," *ib.* i. 408, as they had been engaged in 1219, "ad sigillandum proprias litteras nostras"; *Rot. Lit. Claus.* i. 403. Before there were clerks, there were "sergeants" of the chancery. These were originally the same as the "servientes de capella." Thus Godfrey Spigurnell, whose very name shows that his chief function was the sealing of the king's writs, is called in *Rot. Lit. Claus.* "serviens de capella" exclusively from 1207 to 1219; from 1220 to 1224 he is with his "socii" six times called "serviens noster de cancellaria," and eleven times still "serviens de capella." This shows the beginning of the distinction between the chapel and the chancery. Yet so late as 1240 the spigurnell is still indifferently called "sergeant of the chapel" (*C. Lib. R. Hen. III.* i. 470) and "of the chancery" (*ib.* p. 421). At this time the spigurnell was still carrying about the country by the same pack-horses the requisites for divine service and for making and sealing writs; *ib.* p. 306.

had to be sealed with the seal of William Marshall.[1] Still less was this the case between 1218 and the end of the minority in 1227, when a restricted use of the new great seal of the young king was allowed.[2]

This digression on the chancery of the early thirteenth century has taken us far away from our proper subject. Yet the various departments of administration were so hopelessly confused during the minority of Henry III. that it is only by dealing with every branch of it in turn that we can feel sure as to the real position of those aspects of a domestic executive with which we are directly concerned. It is something that, during a stormy and reactionary period, we can still vindicate the essential independence of the exchequer. At this stage chamber and wardrobe can, however, only be dealt with in relation to the third great branch of the curialist executive, the chancery. It is only when the chancery had begun to withdraw from its intimate relations with the household that the chamber and wardrobe could be regarded as the chief administrative offices of the court.

[1] The letters patent and close of the period of William Marshall's regency were attested by the regent alone, instead of the king alone, as was usual after Richard I.'s coronation. The normal "teste me ipso" is replaced by "teste comite," that is the earl marshal or earl of Pembroke.

[2] *P.R., 1216–25*, p. 177. In writing this account of the chancery I have been greatly helped by two articles by former pupils of mine. These are Professor Powicke's "Chancery during the Minority of Henry III." in *E.H.R.* xxiii. 220-235; and Miss L. B. Dibben's "Chancellor and Keeper of the Seal in Henry III.'s Reign," *ib.* xxvii. 39-51. I am especially indebted to Miss Dibben for access to material which she has collected for a larger work on the chancery on which she is engaged.

SECTION II

The Wardrobe and Chamber during the Minority

It is now time to return to the chamber and the wardrobe, and to study their relations to each other during the minority of Henry III., that is substantially from 1216 to 1232.

For the period of the regency of William Marshall, 1216–1219, our records give us no information about the wardrobe or its officers. We do not even know who acted as clerk of the wardrobe before 1220, though we do know that the name of Odo, John's wardrobe clerk, disappears from the rolls before that king's death. But with a boy on the throne and serious civil war in the land, the administrative machinery was largely out of gear. The king's chamber, however, was at work from the beginning of the reign as a place for the receipt of moneys, though we are ignorant as to the names of its officers before 1219. Moreover, as the French invaders withdrew, the restoration of the Angevin system proceeded apace, and by 1220 at any rate the wardrobe was again at work. Its activities for the next few years were exactly similar to those which it had displayed under John, and it would serve no purpose to multiply examples of functions already fully illustrated for the earlier period. In particular we must note that the relative positions of wardrobe and chamber remained just as they had been. So far as the two institutions can be differentiated, there was still a certain subordination of the wardrobe to the chamber, but our general impression is still that the two offices overlapped so constantly that it is impossible to distinguish effectively between them. Both wardrobe and chamber did the same work, and the same officers acted indifferently in each of them. Wardrobe clerks received moneys in the chamber, and a chief clerk of the wardrobe could still be described as a clerk of the chamber.[1] In the light of such facts it seems safe to identify the Nicholas *de camera nostra*, who is mentioned in 1223, with the Nicholas *de garderoba*

[1] *P.R., 1225–32*, p. 109. Walter Brackley, keeper of the wardrobe, is here styled "familiaris clericus noster de camera."

nostra, who is referred to in close juxtaposition to the former in the same year.[1] Even in the material sense the words *camera* and *garderoba* are now very nearly alike. An instructive passage in Matthew Paris speaks of the burning of *quedam domini pape camera, que conclaue, id est warderoba, dicitur*.[2] In other passages also we can find that the two words are closely brought together, as when Henry III. speaks, in 1222, of a *warderoba camere nostre in Turri Londonensi reparanda*.[3]

In the years after 1219 a clearer differentiation between the wardrobe and the chamber seems gradually to have been worked out. Its stages can be best illustrated from the early history of the strongest personality associated with these two offices at this stage of their development. Among the foreign adventurers who came into England through the goodwill of king John's favourite clerk, Peter des Roches, was a young Poitevin clerk, officially described as his nephew, and commonly suspected to have been his son.[4] The young man whose name was Peter de Rivaux received, as early as 1204, various Lincolnshire livings.[5] His uncle's appointment as bishop of Winchester in 1205 doubtless facilitated his promotion, and in 1208 he secured the promise of a prebend in Lincoln Cathedral.[6] His official career began

[1] *Rot. Lit. Claus.* i. 531, 532. He is also possibly the "Nicholas clericus Petri de Oriuallis" (Rivaux) of *P.R., 1216–25*, p. 329. The functions of this Nicholas, often mentioned in the early years of Henry III., seem very similar to those of the later "clerks of the great wardrobe."

[2] Matthew Paris, *Chronica Maiora*, iv. 417. The papal "camera," as we have seen, was a financial organisation. The interest of this passage lies in the contemporary identification of the English wardrobe with the purely financial foreign "camera."

[3] *Rot. Lit. Claus.* i. 508. In 1215 John ordered the local sheriff to assign to one of his followers, as a residence for himself and his family, "cameram nostram in castro nostro de Walingeford in qua warderoba nostra fuit"; *ib.* p. 183. Cf. also *C.R., 1237–42*, p. 311.

[4] The chancery rolls invariably describe him as nephew. Cf., however, Wendover, iv. 264, "episcopo memorato (sc. Wintoniensi) et filio eius, Petro de Riuallis." For once, Matthew Paris softens down Wendover, when he revises this statement as "memorati episcopi nepotem vel filium" (Mat. Par., *C.M.* iii. 220). There is nothing necessarily discreditable in the suggestion. Peter des Roches was "vir equestris ordinis" (Wendover, iii. 181) and a skilled soldier, who had fought as a knight under Richard I. before he became a clerk.

[5] *Rot. Lit. Pat.* p. 43, where he is called "Petrus de Riuallis."

[6] *Ib.* pp. 80, 84, where he is called "Petrus de Oriuallis." It is in this form that he is described in the close rolls between 1218 and 1222. From 1223 onwards the form "Petrus de Riuallis" also occurs in the close rolls, and soon supplants the earlier spelling. In other official sources, "de Oriuallis" occurs

about 1218, and the first stage of it was worked out between November 30, 1218 and December 12, 1223, during which period he was in constant attendance at the court, and especially employed in receiving money for the payment of the personal expenses of the young king's household.[1] Most of Peter of Rivaux' supplies came from the exchequer, but these were often supplemented, especially when the court was far away from London, by payments from sheriffs, bailiffs, and other servants of the crown. Whenever the king went on a journey, Peter drew from the exchequer a considerable sum, which was to be taken by him with the king to defray his travelling expenses. Great festivities, like Christmas, were also heralded by exceptionally large withdrawals from the exchequer. The entries are so uniform in character that it is clear for the whole of this period Peter was discharging the same function, and that he was acting, as what we might call, in more modern phrase, the keeper of the privy purse of the king. Unluckily the rolls leave us in great doubt as to his official designation. In thirty-seven out of the fifty entries in the close roll in which Peter's name occurs, he is simply mentioned by name without reference to his office. In one entry, the second earliest in date, namely on May 8, 1219, he is called *camerarius noster*,[2] and the payment to him, recorded on May 15, 1221, is said to have been made *in camera nostra*.[3] On the other hand, nine payments, varying in dates from April 20, 1220 to November 14, 1223, are said to have been made to him *in garderoba nostra*.[4] After December 6, 1222, Peter is often associated in his work with another king's clerk, Walter of Brackley.[5] To these two officers is given on two occasions during the summer of 1223 the official designation of *clerici nostri de garderoba nostra*.[6] If any inference can be drawn from

much later, as, for example, in the earliest wardrobe account drawn up in 1227; *For. Acc. Hen. III.* m. 4. The chroniclers generally, but by no means always, prefer the form "de Riuallis." I have failed to find any Rivaux or Orivaux in Poitou from which he may have derived his name. The nearest approach is Orival, cant. Chalais, ar. Barbézieux, dep. Charente, but it is too far south, and on the march between the Angoumois and Saintonge. Orival, near Elbeuf, in Normandy, the Roche d'Orival of many charters, seems from its situation quite impossible, though the temptation to think of it because of his uncle's name is strong. But he is "genere Pictavensis"; Wendover, iv. 244.

[1] See *Rot. Lit. Claus.* i. *passim*. [2] *Rot. Lit. Claus.* i. 391.

[3] *Ib.* i. p. 458. [4] *Ib.* pp. 415, 575. [5] *Ib.* p. 525.

[6] *Ib.* pp. 550, 551. The dates were June 6 and 14, 1223.

these details we might conclude that, while wardrobe and chamber were still nearly related to each other, the wardrobe was becoming more and more the recognised department in which the financial business of the household was conducted. The chamberlain of 1219 became the clerk of the wardrobe of 1223. Beginning as a chamberlain, or chamber-clerk, like Peter des Roches himself, Peter of Rivaux, without relinquishing the chamber, is henceforth specially identified with the growth of the wardrobe.

The association of Peter of Rivaux with Walter of Brackley, which is first recorded on December 6, 1222, clearly continued as long as Peter remained an officer of the wardrobe. Payments could still be indifferently made to him alone or to the pair. Thus in the year 1223, eleven payments were made to Peter alone, and only seven to the two. The last writ of *liberate*, ordering an exchequer payment to Peter, is for him alone, and is dated December 12, 1223.[1] With that he disappears for seven years, both from the chancery rolls and, so far as we know, from England. His responsibility for wardrobe finance certainly did not continue beyond January 4, 1224. We may feel pretty sure that his expulsion from office was one of the results of the strengthening of the power of Hubert de Burgh, the justiciar, which followed from the bull of 1223 in which Honorius III. declared Henry III. of sufficient age to be competent to govern his kingdom.

During the time that Peter of Rivaux was first in office, an enormous development took place in the financial responsibilities of the department entrusted to his charge. It is now that a new source of income to the wardrobe seems to have been devised in direct payments from the exchequer. Accordingly the chancery mandates to the exchequer, not yet separately enrolled in special *liberate* rolls, give us direct information as to the sums which the exchequer paid into the wardrobe. By adding up the sums mentioned in the writs of *liberate* and *computate*, issued in Peter's favour, we can obtain fairly exact statistics of the sums which Peter and his colleagues are known to have obtained during these years, directly or indirectly, from the exchequer. At first his receipts from that source were small, being £30 in 1218, £35 in 1219, and £164 : 3 : 8 in 1220. For the next three years there is an enormous and regular

[1] *Rot. Lit. Claus.* i. p. 579.

increase. In 1221 the sums received were £881 : 16 : 8, in 1222, £1469 : 0 : 3,[1] and in 1223, £1993 : 11 : 6½.[2] In the light of these figures we may say that the problem of the department to which Peter belonged in the earlier period of his office becomes insignificant. His work only counted when he was, so far as the rolls tell us, acting in the wardrobe as its clerk.

With the withdrawal of Peter of Rivaux we stand for the first time on firm ground. The principle of two clerks, jointly responsible for the wardrobe, was continued after he fell from power, and for this purpose his former colleague, Walter of Brackley, was now associated with another royal clerk, Walter of Kirkham, who seems to have directly taken Peter's place, as he is generally mentioned first on the rolls, before his senior colleague. By a great stroke of good fortune the joint accounts of the two Walters are still preserved in an exchequer enrolment, being the earliest wardrobe accounts, properly so called, now in existence. They are brief, and do not enter into much detail, but their precision and clearness enable us for the first time to feel our way definitely, though some questions remain unsolved even with their assistance. I have, however, thought it worth while to print them in the Appendix to this chapter.[3]

The accounts of Kirkham and Brackley extend from January 5, 1224 to April 10, 1227. For the first time they give us information as to the wardrobe receipts as a whole. In Rivaux' time we can only learn what the wardrobe received from the exchequer. Before that we have no knowledge at all. Now Kirkham and Brackley's figures suggest transactions on even a larger scale than those of Peter of Rivaux; but they are at their biggest at the start, and steadily decrease in magnitude. In Henry III.'s eighth regnal year the account covered less than ten

[1] To this sum should be added £66 : 13 : 4 paid from the new Temple, a usual storehouse of royal treasure at this period, to Nicholas, clerk of Peter of Rivaux; *P.R., 1216–25*, p. 329.

[2] These sums have been obtained by collecting and adding up the individual sums mentioned on the close roll. It is quite possible that mistakes may have crept in during the elaborate process necessary to obtain these results. It is likely also that other payments of the same time do not happen to have been recorded on the close roll. Save for the payment from the Temple, mentioned in the last note, we have no information whether Peter obtained additional sums from sources other than the exchequer, but the strong probability is that he did so. See, especially later, page 193, note 2 and page 221, especially note 2.

[3] See later, pp. 233-238

months; but the total wardrobe receipt for that restricted period amounted to more than £9000. But for the two complete regnal years following, the totals were only £8803 and £6686 respectively,[1] and the receipt of the first half of the eleventh year from October to Easter was only a little over £2000. Of these large sums rather more than half came in directly from the exchequer, and the rest from a great variety of sources—fines, stores, loans, ferms, carucages, and their like.[2] Sometimes the keeper of a royal estate would by royal mandate pay some of his receipt into one office and the rest into another, for example, part into the wardrobe and the balance into the exchequer.[3] It is noteworthy that for the last broken year nearly all the much diminished receipts came from the exchequer. They are doled out in instalments of between £200 and £500, according to the orders contained in various writs of *liberate*. These figures show the respectable scale of wardrobe operations, even during the minority of Henry III.

After the receipts come the expenses. The wide sphere of wardrobe activity is shown in the varied ways in which its revenue was disbursed. Two great heads of expense occur

[1] Besides the accounts, printed later from *L.T.R. For. Acc. Hen. III.* m. 4, the "recepta garderobe regis, anno decimo regis Henrici" are also in *Chanc. Misc.* 3/2. They are "per manus J. de Kirkham." *C. Lib. R. Hen. III.* vol. i. pp. 3-27, shows that, up to April 18, £1963 : 13 : 4 was delivered from the exchequer to Kirkham and Brackley "for the king's expenses," or computed to the wardrobe account.

[2] The receipts from the exchequer amount to £17,074 : 2 : 8, the total receipt is £26,619 : 7 : 6½; the "foreign" receipt is therefore £9545 : 4 : 10½. Assuming that the proportion in Peter of Rivaux' time was the same as in this instance, we can venture to multiply Peter's exchequer receipt by two, if we would ascertain his total receipts. I have been at the pains to compare the exchequer receipt of 8 Hen. III. with the sums recorded in the close roll, as paid to the two keepers by writs of "liberate" and "allocate." I find the totals agree with those in the roll to within about £40, so we may feel fairly confident as to the Rivaux figures similarly obtained.

[3] A good instance is quoted from *Pipe, 10 Hen. III.*, by the editor of *Archbishop Gray's Register*, p. 12 (Surtees Soc.), where the archbishop pays £100 of the ferm of Knaresborough to the exchequer and the rest "ipsi regi in garderoba," "per breue ejusdem quod est in forulis marescalli." From Nov. 1226, the beginning of 11 Hen. III., the writs of "liberate," "allocate" and "computate," hitherto recorded in the close roll, are enrolled separately in the first continuous number of a new series of chancery enrolments. Of these the writs between 1226 and 1240 are already summarised in the first volume of the *C. Lib. R., Hen. III., 1226–1240.* We can, therefore, with little trouble check to some extent the figures in the accounts, or partially supply their absence, at least so far as wardrobe receipts from the exchequer are concerned.

every year—"the necessary expenses of the royal household" and "the necessary expenses in the king's wardrobe." Unluckily the details of these expenses, "as contained in the roll of the wardrobe delivered into the treasury," are not now preserved. It may be noticed, however, that while the expenses of the household remain for the whole period at the very moderate level of a little over £2000 for each full year, those of the wardrobe fluctuate from over £4400 for a period of ten months to £480 for the last half year. In such variations we see one cause of the widely different totals of the gross expenses. They are increased by the fact that each year has also its special sources of wardrobe expenditure. Thus in 8 Hen. III. "the necessary expenses and wages of the knights, sergeants, engineers, and other workmen of *petrariae*, mangonels, and other necessities for the siege of the castle of Bedford" accounted for £1311 : 18 : 2. In 9 Hen. III. the special burden on the wardrobe was the cost of equipping the Poitevin expedition of Richard, the king's brother. The costs of Richard's dubbing to knighthood; the £1733 : 6 : 8 which he took with him in cash over seas; the gifts and liveries to the knights, soldiers and sailors who accompanied him; the sums provided for their equipment and transport, amounted in all to £4566 : 9 : 11½. This is nearly half the total wardrobe expenses of the year, which attained the sum of £9924 : 8 : 2. The absence of any such extraordinary sources of expenditure largely accounts for the falling off of wardrobe issues for the last two years of Kirkham and Brackley's account.

Apart from finance, some features of the account deserve special attention. Nowhere are the two clerks called clerks of the wardrobe, though they are often so described in contemporary chancery enrolments.[1] It is only from the endorsement that we learn that the account was a wardrobe account at all.[2] It

[1] Instances of both mentioned together are *P.R., 1225–32*, pp. 25, 46; *C.R., 1227–31*, pp. 38, 290, 471. Kirkham is mentioned alone in *P.R., 1225–32*, pp. 326, 330, 409, and in *P.R., 1216–25*, pp. 546, 548, his clerk, Richard the Welshman, is found co-operating with Brackley. Brackley is seldom found acting alone. In the *liberate* roll the two are always nearly called clerks of the wardrobe, and there are more liveries to Kirkham alone than to the two combined; *C. Lib. R., 1226–40, passim*, and index.

[2] "Compotus de warderoba regis," etc. The heading is simply "Compotus Walteri de Kirkeham et Walteri de Brackeley."

is evident from the items that the wardrobe was responsible for the whole finance of the king's household, and therefore had already become the accounting and directive department of the palace. Besides this, it had to pay for its own departmental expenses, which were treated separately from the daily disbursements of the *hospicium*. Most important of all is the fact that it was the wardrobe which managed all great extraordinary expenses, whether of court festivities, such as the knighting of the king's brother, of expeditions to put down domestic rebels, like Falkes de Bréauté, or of armies sent abroad, like that which accompanied Richard to Poitou. In this aspect of the wardrobe we can discern indefinite possibilities of further expansion. The wardrobe was not only becoming upon occasion a second treasury, but a war-office and admiralty as well.

Another important feature of the account is that the two accounting clerks do not seem to have been in absolute command. Their account was tendered to the exchequer, "by the view and testimony of Luke the chaplain, dean of St. Martin's, London." This formula anticipates that of the later "controllers of the wardrobe" who, as subordinates, tested and examined the accounts of their official superior, called a few years later the keeper or the treasurer of the wardrobe. It is clear, however, that Luke the chaplain was no subordinate of Kirkham and Brackley. The faithful friend and chaplain of Hubert de Burgh, who had administered the communion to him on the eve of his great fight with Eustace the Monk in 1217,[1] Luke was promoted at the end of 1228 to the archbishopric of Dublin,[2] whereupon Kirkham was chosen to succeed him in the deanery of St.

[1] Mat. Par. *C.M.* iii. 28. Luke was the only prominent person who remained faithful to Hubert after the justiciar's fall in 1232; Wendover, iv. 247, 250, 253, "qui unicus ei erat amicus." A clerk named Luke, who may or may not have been the same person as Luke, the wardrobe officer, was chaplain of Pandulf in 1213 and again in 1219; *Rot. Lit. Claus.* i. 153, 387; and in records Luke was only called chaplain of Hubert in 1222; *ib.* i. 445. If Pandulf's chaplain was also Hubert's chaplain, Luke was probably a Roman, and Paris' picturesque addition to Wendover as to the sea-fight of 1217 becomes gravely suspect.

[2] The royal assent was given to his election on Dec. 13, 1228; *Cal. Doc. Ireland, 1171–1251*, p. 247; and on Jan. 10, 1229, the king released him "from the trammels of the court"; *ib.* p. 248. A second election was, however, necessary, and it was only on Jan. 16, 1230, that his temporalities were restored. He was still receiving wardrobe moneys on Jan. 6, 1230; *C.R. 1227–31*, pp. 281, 284. He died blind on Dec. 13, 1255; Mat. Par. *C.M.* v. 531.

Martin-le-Grand,[1] an office that from this time was constantly held by wardrobe clerks. Clearly Luke was a man of higher status than Kirkham, and he is called by a chronicler one of the *maiores de curia regis*.[2] Moreover, between 1225 and 1230, Luke is constantly described both in records and chronicles as the king's treasurer.[3] What does this phrase mean? Luke was clearly not treasurer of the exchequer, since Eustace of Fauconberg, bishop of London, held that office during these years.[4] A contrast is involved between the two offices of treasurer of the king and treasurer of the exchequer. The former is the treasurer of the household, the latter of the national treasury. A late chronicler recognises this in calling Luke "treasurer of the wardrobe."[5] In Luke's own days we should rather have expected him to be called, like his immediate successors, "treasurer of the chamber."[6] Whatever his title, Luke was clearly head of the wardrobe, and the accounting clerks acted under his direction. Nevertheless the king in 1230 speaks of having "committed the office of the wardrobe" to Kirkham on terms which almost suggest both a supreme and an undivided responsibility.[7]

Kirkham and Brackley remained clerks of the wardrobe some years after the end of their only extant account. The *liberate* rolls, which are now separated from the close rolls and given an enrolment of their own, throw some light on their relations with the exchequer during this period. They show, for instance, that the flow of small writs of *liberate* stops for a time after August 1, 1227, when the king deposited £5000, borne by Kirkham and Robert of Lexinton from the exchequer, in the Tower of London, and that subsequent orders for its disbursement were addressed not to the two clerks of the wardrobe but to the con-

[1] He was appointed on Oct. 12, 1230; *P.R., 1225–32*, p. 406.

[2] *Ann. Dunstaple*, p. 119.

[3] For instances, see *P.R., 1216–25*, p. 512 (Mar. 4, 1225); *ib., 1225–32*, p. 29 (May 3, 1226), and p. 164 (end of Sept. 1227). Luke is called "thesaurarius regis" in *Ann. Dunstaple*, p. 115, and *Ann. Tewkesbury*, p. 70.

[4] Eustace is first mentioned as treasurer on Nov. 4, 1217; *Rot. Lit. Claus.* i. 340. He was still treasurer on Sept. 21, 1228; *C.R., 1227–31*, p. 81. He clearly remained treasurer till his death on Nov. 2, 1228. My article on him in the *D.N.B.* must be corrected accordingly.

[5] Wykes, p. 70.

[6] See later, p. 200, note 3.

[7] *P.R., 1225–32*, p. 342, "a tempore quo ei commisimus officium warderobe nostre."

stable of the Tower.[1] So late as July and August 1228, drafts were still being made on this king's treasure in the Tower.[2] Meanwhile, however, the small writs of *liberate* were renewed, and from one source or another the wardrobe was credited with more than £4500 at the exchequer for the 12th of Henry III.[3] The expenses of the disastrous Kerry campaign against Llywelyn of Wales in 1228 sufficiently explain the rise. Every effort was made to despatch to the "wardrobe at Kerry" and Montgomery, in September and October, all the cash that could be secured in any direction, notably from the western shires.[4] In 13 Henry III., when there was no expedition, the exchequer paid over to the wardrobe about £3250.[5]

During this period gradual changes in the wardrobe staff were being effected. The episcopal ambitions of the chief officials were the chief cause of this. As early as January 26, 1227, Brackley was "released from all trammels of court" and sent to Ireland to prosecute his claim to the bishopric of Meath.[6] This fact accounts for Kirkham being between February and July 1227 the sole acting clerk of the wardrobe receiving moneys at the exchequer.[7] But on his failure at Meath Brackley rejoined Kirkham in the old task. But Luke the chaplain had been luckier than his colleague, for he became safely established as archbishop of Dublin. Before the end of 1228 he was already removed from court.[8] He visited Rome to procure his *pallium*, and on his return seems to have gone to Ireland.[9] It seems that Luke's place as treasurer had already been filled by Ranulf the Breton, who was already associated as a wardrobe clerk with Kirkham; on February 13, 1229, as a recipient of

[1] *C. Lib. R., 1226–40*, p. 45. [2] *Ib.* pp. 94-5.

[3] *Ib.* pp. 57-103. I make the sum of writs of "liberate" and "computate" amount to £4522 : 16 : 1½. This includes such writs as that of April 2 "by the hands of William Hardel to buy robes for the king at St. Ives' fair"; *ib.* p. 75.

[4] *Ib.* pp. 98-103.

[5] *Ib.* pp. 104-152. I make the amount £3262 : 2 : 1.

[6] *P.R., 1225–32*, p. 109. Brackley is here called "familiaris clericus noster de camera." Chamber and wardrobe are still nearly equivalent terms.

[7] The writs of *liberate* from Feb. 10 to June 1 are all on behalf of Kirkham alone. The next joint writ is on July 13, 1227; *C. Lib. R.* p. 49.

[8] On Dec. 15, 1228, a writ directed the exchequer to deliver him an imprest of 200 m.; *ib.* p. 114.

[9] He was at the curia in Jan. 1229 when Henry II. urged the pope to release him, as his presence was needed in Ireland; *P.R., 1225–32*, pp. 236-7.

exchequer liveries.[1] His position of precedence in the writ over the experienced Kirkham suggests that he may already have become his official superior, though it is equally likely that the order was accidental.[2] Ranulf, like Luke the chaplain, was a former chaplain and political ally of Hubert de Burgh, and his appointment as treasurer was a proof of the justiciar's still abiding influence.[3]

An important stage of wardrobe development resulted from Henry III.'s expedition of 1230 to Brittany and Poitou. Walter Mauclerc, bishop of Carlisle, who had succeeded bishop Fauconberg as treasurer of the exchequer early in 1229,[4] seems to have remained in England, busy in raising supplies. The result was that the wardrobe, this time on a larger scale than at Kerry, had the whole administration of the finances of the expedition thrown on its hands. All the clerks went overseas with Henry. Ranulf the Breton received his letters of protection on April 20, 1230, "on going abroad with the king."[5] Though no similar letters were granted to Kirkham and Brackley, it is certain that both took part in the expedition.[6] They worked in close relations with the chief steward of the household, Geoffrey of Crowcombe or Craucumbe,[7] whose association in wardrobe work was natural to the holder of one of the two chief lay posts in the household when the wardrobe was the treasury of an expeditionary force.

A great increase of wardrobe expenditure necessarily resulted. On October 10, 1229, a writ of *liberate* of the unprecedented sum of 20,000 marks was issued on behalf of Kirkham and Brackley "to be carried with the king beyond the sea."[8] Besides this there was more than £2000 delivered to the wardrobe from the exchequer between October 1229 and May 1230, when the king

[1] *C. Lib. R.*, p. 120.

[2] A few days later their position is reversed in another writ; *ib.* p. 120. But after this Ranulf is always first; *ib.* pp. 132, 138.

[3] He was a clerk of Hubert in 1225; *Rot. Lit. Claus.* ii. 35; and in 1228; *P.R., 1225–32*, pp. 236-7.

[4] He received no protection. He was acting as treasurer by Feb. 26, 1229; *ib.* p. 241.

[5] *P.R., 1225–32*, p. 361. Ranulf is called "thesaurarius camere regis" in Wendover, iv. 244, quoted in note 3, p. 200 below. Compare later, p. 228.

[6] *C.R., 1227–31*, pp. 425, 430.

[7] For instance, *ib.* p. 430 and *C. Lib. R.* pp. 150-1.

[8] *Ib.* p. 150.

at last crossed the seas.[1] Most unfortunately a gap in the *liberate* rolls, between July 1230 and October 1232, prevents us following out in detail the method of the financing of the expedition. Yet the glimpses in other records, notably the close roll drawn up abroad,[2] throw some light upon the working of the wardrobe machine. We see sums of money constantly despatched from England to supplement the king's scanty resources, and we find his wardrobe clerks, especially Ranulf the Breton and Kirkham, and occasionally Brackley, busily engaged on the reception and distribution of the royal revenue. With them Godfrey of Crowcombe was often actively associated. Thus on August 26 Kirkham and Crowcombe disbursed in one day £3150 : 16 : 8 of the king's treasure to various barons of Poitou and their councillors.[3] This large expenditure is a sufficient indication of the magnitude of the wardrobe transactions during the campaign. But within a month, a fresh supply of treasure, amounting to £6000, came from the English regency and was received by Kirkham and Crowcombe in the wardrobe at Nantes.[4] As the king and his army moved southwards from Saint-Malo to Bordeaux, and again on the return journey, we find the wardrobe established at each place of sojourn and its clerks issuing advances and payments after the normal methods of the office.[5]

Ranulf and the two Walters continued to act in the wardrobe after the king's return to England, though on December 14, 1230, we find a third clerk of the wardrobe also employed, whose name, William de Burgh, suggests some kinship with the justiciar.[6] It is interesting in the summer of 1231, when Henry III. was engaged on his second Welsh campaign, to find that, though the king had his wardrobe with him at Painscastle, Kirkham remained in London, whence he delivered treasure to the king's agents to meet the expenses of the abortive fighting in Wales.[7]

[1] *C. Lib. R.* pp. 158-181. [2] *C.R., 1225–32*, pp. 409-451.

[3] *Ib.* pp. 430-1. The grants give interesting evidence of the universality of feudal councils. Every petty baron of Poitou had his *consilium*, which had to be placated by special bribes

[4] *P.R., 1225–32*, pp. 397-8. This was on Sept. 18, just before the king's voyage home.

[5] *C.R., 1227–31*, p. 452. [6] *Ib.* p. 462.

[7] *Ib.* p. 542 shows the king receiving moneys "in garderobam regis apud castrum Matildis" on Aug. 6, 1231, and *ib.* p. 544 shows the king on Aug. 15 directing Kirkham in London to send him treasure to Wales. "Castrum

Great changes were now imminent. Hubert de Burgh's credit had received a blow from which it never recovered in the failure of the expedition to Poitou. The Poitevin gang, which Hubert had banished from court, was now hurrying back to secure the ruin of the justiciar. On February 6, 1230, Peter of Rivaux received licence to come "safely and securely to the land of England, to abide there safely, and to withdraw thence safely when he would."[1] By the summer of 1231 Peter des Roches himself returned from his crusade, and attended the king during his movements in Wales. The result of this was seen in a royal mandate, dated September 12, 1231, and issued from Painscastle, wherein the king ordered Ranulf to withdraw at once with all his kinsfolk from England, "as he loves himself and his kinsmen and wishes that they should all be kept from harm."[2] His office of treasurer of the chamber was now, or a little later, conferred on Peter of Rivaux.[3] With Hubert's former chaplain the clerks who had worked under him soon disappeared also. In June 1232 Walter of Brackley was honourably got rid of by the king assenting to his election as bishop of Ossory, and releasing him "from accounts, reckonings, and all trammels of court," and solemnly declaring his appreciation of Walter's "good and faithful service."[4] Even before this Kirkham had disappeared from the wardrobe, receiving as some compensation the custody of the temporalities of the vacant archbishopric of

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Matildis in Elvain" seems in all these cases to be Painscastle in the parish of Llanbedr-Painscastle, Co. Radnor.

[1] *P.R., 1225–32*, p. 325.

[2] *C.R., 1227–31*, p. 599.

[3] Wendover, iv. 244. "Ranulfum etiam, cognomento Britannum, camere sue thesaurarium, ab officio suo deponens, cepit ab illo mille libras argenti, et loco eius substituit Petrum de Riuallis, genere Pictauensem." We have no formal record of Peter's appointment until the famous charter of June 1232, but I think it very likely that this was preceded by a less complete nomination more on traditional lines. This passage of Wendover establishes the name of Ranulf's office. Stubbs, who never quite grasped the distinction between the household and exchequer treasureships, treats Ranulf as treasurer of the exchequer, and makes bishop Mauclerc of Carlisle his successor; Stubbs, *C.H.* ii. 45. But Mauclerc's grant of the treasury for life in 1232 was not his first appointment, which, as we have seen, goes back to 1229. Breton was never treasurer of the exchequer.

[4] *P.R., 1225–32*, p. 481. The release is dated June 15, and the royal assent to the election, June 14, 1232. Brackley duly obtained Ossory, and died its bishop in 1243; *Cal. Doc. Ireland, 1171–1251*, p. 393.

Canterbury.[1] After enjoying an archdeaconry and the deanery of St. Martin le Grand, already almost the perquisite of the household clerks, he became in 1249 bishop of Durham. But neither his promotion nor his subsequent actions pleased the king and his courtiers. Before he died in 1260, he had time to show his sympathy for the Provisions of Oxford. With the removal from court of this honourable and kindly friend of Hubert, the way was finally cleared for the complete triumph of the Poitevins.

Another apparent consolidation of household machinery during this period may also claim our attention. This is the gradual strengthening of the lay side of the household staff by an increasingly clear differentiation between officers bearing the same name, but now more definitely set apart to work in various branches of the administration. The magnate element recedes before a working element in all such offices as have a large amount of regular routine suitable for lay capacity. In the twelfth century the hereditary offices held by lay barons were, still in name, and to some extent in reality, regarded as offices of the court and household. But we have already seen how, under Henry II., separation had been effected between the chief chamberlains, who were lay magnates, and the working chamberlains, specially affected to the daily service of the exchequer and chamber. It was now the same with the other lay dignity which most nearly concerns us, the officer of king's steward, a name, which in its Latin shape of *senescallus* was now gradually supplanting the Norman form of *dapifer*. Here, too, the distrust of an autocratic monarch, the increasing demands and technique of the business transacted, and a great man's natural preoccupation with his own estates and interests had removed the king's hereditary stewards from the daily service of the hostel. Yet so late as the early years of Henry III.'s reign, the offices held by these hereditary magnates were still described as "of the household." There were in Angevin times two hereditary "stewards of the household" in this sense. Their history has been elaborately, if somewhat dogmatically, worked out by the

[1] I cannot find Kirkham acting in the wardrobe after Aug. 15, 1231; *C.R. 1227–31*, p. 542. See note 7, page 199 above. He was keeper of the temporalities of Canterbury before Sept. 25 1231; *ib.* p. 561, cf. p. 570.

late Mr. L. W. Vernon Harcourt.[1] These two stewardships were reduced to one at John's coronation by the withdrawal, for a substantial consideration, of all the claims of Roger Bigod, earl of Norfolk, to his share in that office, so that, after some further contentions, a sole hereditary stewardship arose, vested in the earls of Leicester, and thus ultimately passed to the house of Montfort. But up to 1239 the Montfort earls of Leicester were earls only in name, and their estates were in the king's hands and entrusted to various keepers. This virtual abeyance of the earldom accounts for some diminution in the steward's authority, against which the nominal earls seemed to react. Thus the office, which the crown called, so late as 1221, the *senescalcia hospicii domini regis*,[2] was already designated by the more sounding title of *senescalcia Anglie totius* in the deed by which Amaury de Montfort transferred his rights to their father's earldom to his younger brother Simon, who was to play so great a part in the opposition to Henry III.[3] Earl Simon, the younger, paraded and emphasised his "stewardship of England," as Mr. Harcourt has ably shown.[4] But before 1239, when Simon entered into the enjoyment of this hereditary office, working household stewards had already largely replaced the dignified steward in his traditional position as lay head of the royal household.

It has been argued that the fact that there were, and that there remained until the end of the thirteenth century, two working household stewards suggests that the separation of the titular and actual offices had already been effected before 1199. It is some evidence of this that, under Richard I., we

[1] *His Grace the Steward and Trial by Peers* (1907). For Mr. Harcourt's erroneous doctrines as to the origin of the stewardship and of its early unimportance, see Haskins, pp. 51, 58, 99, 165. Unfortunately Mr Harcourt did not seriously investigate the history of the household stewardship in the later sense. The problem is too intricate to be settled here, but I hope to work it out in more detail in a later stage of this book.

[2] *Rot. Lit. Claus.* i. 455, quoted by Harcourt, p. 77.

[3] Harcourt, p. 112. This charter, only known by transcripts of a generation or two later, is perhaps suspicious as regards the title. Any one copying it out after Simon de Montfort's time would naturally have adopted Simon's own description of his office.

[4] *Ib.* pp. 121-22; Bateson, *Records of Borough of Leicester*, i. 46-48, prints charters to Leicester of 1254–5 and later in which Simon calls himself "senescallus Angliae." It was only in the days of his power before Evesham that Simon tests royal charters as steward of England; for instance, *Charter Roll*, No. 54 (49 Hen. III.) *passim*, up to June 16, 1265, at least.

have already attesting charters of Richard's first year two royal stewards, whose names were Roger des Prés and Stephen de Longchamp.[1] But the question cannot be so summarily settled. Until the acts of Richard I. are collected, it will be impossible to interrogate them with sufficient care to know what is the sum of their testimony.[2] Though we have a new source for the next reign in the charter rolls of John, yet, unluckily, titles are seldom mentioned in the attestations, and the occasional mentions of William of Cantilupe and Roger of Stokes are too sporadic to leave us satisfied that they are the only stewards,[3] or that there were only two of them at one time. When in 1227 the majority of Henry III. was followed by the re-issue of charters, we are perplexed by the number of persons to whom this title is given. Thus in 1227 there are five "king's stewards" attesting by name, often three, and in one case five individuals seeming to be called *senescalli nostri* in a single act.[4] It is clear that the stewardship had not yet become the organised headship of the household that it was under Edward I. But apart from difficulties of evidence, the name steward is so vague that it ranges from the bailiffship of a manor through the

[1] Harcourt, p. 72, who notes that they were sometimes called *senescalli* and sometimes *dapiferi*. This remained the case all through the reign. Mat. Par. *C.M.* v. 242, 576, calls undoubted stewards *dapiferi*. Indeed under Richard I. *dapifer* was the usual title. Miss Prescott has shown me ten charters where Roger des Prés is called *dapifer*, against one where he is called *senescallus*.

[2] Miss Prescott has made some progress towards making a collection of Richard I.'s very scattered acts. Such a work is much needed.

[3] An examination of the printed *Rotuli Cartarum* of John's reign only shows William of Cantilupe described as steward on two occasions, pp. 204 and 214, and Peter of Stokes once, p. 109. There is other evidence, however, of their tenure of this office.

[4] The unlucky omission of the names of the witnesses in the printed *Calendar of Charter Rolls* still compels reference to the original manuscripts. But in *Ch. R.* Nos. 18 and 19, 11 Hen. III. (1226–1227) Pts. i. and ii. there are five "senescalli nostri" mentioned, three of whom, Ralph Fitznicholas, Richard of Argentine, and Geoffrey of Crowcombe, attested *eo nomine* continually, and William of Eyneford and Osbert Gifford more occasionally. In 1228–9 Fitznicholas, Argentine, and Crowcombe still attested, but in 1229–30 no stewards are mentioned as attesting. On May 12, 1227, all these three attested the same documents as stewards; *C. Ch. R.* No. 18, Nos. 37, 45, and perhaps Nos. 47 and 50. Cf. *ib.* No. 19, m. 5, when three including Eyneford attested, and m. 6, where all the five above mentioned witnessed a document of July 18. All these were called stewards during the minority; *Rot. Lit. Claus.* ii. 25, 83, 121; *P.R., 1216–25*, p. 601; as was also Eustace de Grenville in 1225; *Rot. Lit. Claus.* ii. 25.

custody of great stretches of land to the governorship of a French province.[1] It is hard then to determine which of the many holders of the title shared the duties of the later household stewards, though such men as William of Cantilupe, almost continually "our steward" between 1204 and 1215, and again between 1218 and 1222,[2] if not later, certainly did work like that done by the subsequent holders of that office. However, a further complication is found even here, for Cantilupe was keeper of the Leicester earldom from 1210–1215, and restored to that office in 1218.[3] There is the possibility then that for the later portion of his stewardship he may be regarded as, after a fashion, a lieutenant of the absentee hereditary steward.

Whether the worst of these confusions are limited to Henry III.'s minority and the immediately subsequent years, it is hard to say. In a way they remained until the fourteenth century, when a chronicler may still style an undoubted household steward *senescallus Angliae*,[4] while Thomas of Lancaster's claim that the household stewardship was in the gift of the "steward of England"[5] strove in more practical fashion to keep up the connection between the two types of stewardship. But these archaisms could not really mislead. Anyhow it looks as if by 1230–1 there were only two king's stewards working in the household.[6] So that the dual stewardship that lasted till nearly the end of the century had already begun. Unluckily, after a few years, the charter rolls of Henry III. fall back on the evil precedent of the roll of John, and rarely give the office after the steward's name,[7] so that a list of stewards of the household for the rest of Henry III.'s period can only be put together approximately and with difficulty. We are only on safe ground with the reign of his son.

[1] A phrase in *Dialogus*, ii. xix. p. 151, "per manus generalis economi quem vulgo senescallum dicunt," shows the breadth of the twelfth-century conception of the steward's office.

[2] For 1204, *Rot. Lit. Pat.* p. 45; for 1222, *P.R., 1216–25*, p. 334.

[3] Harcourt, pp. 102-5. He died in 1239.

[4] See, for instance, Vol. II. Ch. VIII. [5] See later, Vol. II. Ch. VIII.

[6] These were Ralph Fitznicholas and Geoffrey de Crowcombe. The former was removed from office by Peter des Roches in 1236, "propter senescalciam suam"; *Tewkesbury Ann.* p. 102.

[7] In 12 Hen. III. such mentions are unusual (*Ch. R.* No. 20). In 14 Hen. III. I cannot find a single steward mentioned (*ib.* Nos. 23 and 24). 17 Hen. III. (*ib.* No. 27) is equally blank.

It is about the time that the dual stewardship clearly reveals itself that the stewards of Henry III.'s household began to take a decided part both in politics and administration. Their activity soon extended beyond the limited sphere assigned by thirteenth-century opinion to the functions of a lay steward. We shall soon find them becoming in a fashion colleagues of the chief wardrobe clerks in exercising both disciplinary and financial control over the whole household staff. We shall find them in particular taking a share in those secretarial and sealing functions which were generally regarded as the special prerogative of laymen. In the next section we shall find the steward Geoffrey of Crowcombe, a veteran of John's household, not only acting as a sort of secretary of his master, but taking a leading part in the persecution of Hubert de Burgh. Moreover, the stewards act with the wardrobe clerks as keepers of the king's seal. It was no wonder then that that rare phenomena of that generation, the *miles literatus*, the knight who could read and write Latin, was specially appropriate to the office. Such literate stewards as John of Lexinton, or Laxton, anticipate to a modest extent the lay keepers of the seal of the late thirteenth century. The development of the stewards' office was thus slower than the growth of the authority of the chief wardrobe clerks. In our next section, however, we shall study in more detail some of the fruits of this process. But it is already clear that the co-operation of the household stewards in the wardrobe with the chief clerks of that office did something to enhance the growing position of the wardrobe as the centre of household administration.

SECTION III

The Revival of the Privy Seal, 1230–1232

Between his accession and December 1230 there is no evidence that Henry III. possessed or used a privy seal. In the first period of his reign, 1216–1219, the years of the *de facto* regency of William Marshall and the papal legate, it was inevitable that the king, who had not even a great seal, should not possess a privy seal. For the rest of his minority from 1219–1227, though Henry had a great seal, he does not seem to have employed a privy seal.[1] This is also in accordance with probabilities. The privy seal was so much the expression of the personal will of the sovereign that a king under tutelage, and restrained, even after 1223 (when he was formally declared of age), from exercising certain acts of sovereignty, could have found no occasion for employing such an instrument. Just as the equivalents for the great seal between 1216 and 1219 are to be sought in the seals of the *rector regis et regni* and of the papal legate, *quia sigillum nondum habuimus*—as the young king was made to say in every writ—so the equivalent of the privy seal during the whole of these twelve years is to be found in the seals of the justiciar and other responsible agents of the royal power.[2]

It is more significant of policy that there is no evidence of the revival of the royal privy seal for nearly three years after Henry attained his majority. The scanty indications of the records rather suggest that the king remained so strictly under Hubert's tutelage that this symbol of independence was withheld from him. When in 1228 and 1229 there was need to instruct the chancellor in writing to draw up letters patent or close, the

[1] Professor Powicke tells me that he has not come across any reference to a privy or small seal during the whole period 1216–1227.

[2] Thus an act of June 7, 1224, is sealed with the seals of Hubert de Burgh, and the bishop of Bath and Wells "quia sigillum nostrum nobiscum non fuit"; *P.R., 1216–25*, p. 444. Such an act, ten years earlier or later, would have inevitably been an act of privy seal. Cf. *ib., 1225–32*, pp. 71-72, a group of patents "sub sigillo justiciarii," and the phrase of "coram justiciario" of *ib.* pp. 70-71.

method adopted seems to have been to despatch to him a royal mandate under the seal of the justiciar.[1] In both of these cases John would certainly have issued a warrant under his privy seal. But though Hubert had his own privy seal, and it was upon occasion used as the equivalent of the king's privy seal, he does not seem to have allowed his pupil to possess one. Accordingly, the privy seal found no place in the elaborate arrangements made on April 28, 1230, for the sealing of documents during the absence of the king and justiciar in Brittany and Poitou. Though the chancellor, Ralph Neville, remained in England, and was jointly with Stephen Segrave appointed regent, the great seal went abroad with Henry and Hubert, who employed it to execute the numerous documents issued from the royal chancery when beyond sea. For English use during this period, the exchequer seal was to be taken from its accustomed place, and put in the custody of the chancellor, who was to seal with it those writs issued in England which normally required the great seal. Thus, as in the days of the *Dialogus*, the equivalence of the exchequer and the "deambulatory" seals was again asserted. It showed how strictly the doctrine that the chancellor followed the court still prevailed that it was ordered that, wherever Segrave, his co-regent, had to itinerate on business of state, the chancellor with the exchequer seal was to itinerate with him.

Exchequer business was meanwhile to be despatched under the privy seal of Hubert the justiciar. This was to be kept in the exchequer under the chancellor's custody.[2] Thus in 1230 the nominal custody of all seals was still regarded as appertaining to the chancellor. Yet the terms of the order make it clear that the exchequer seal was no longer normally in the chancellor's keeping, for had this been the case, there would have been no

[1] *C.R., 1227–31*, p. 60, "per litteras regis sub sigillo justiciarii transmissas ad sigillum regis" (July 11, 1228); *ib.* p. 159, "per breue regis sub sigillo justiciarii" (March 10, 1229). When Hubert fell in 1232 and took sanctuary, one of the precautions taken to destroy his influence was to break his small seal. See *ib., 1231–34*, p. 161, an order of Oct. 18, 1232, to the sheriff of Essex and Hertford, "paruum etiam sigillum suum, quod ipse adhuc retinuit apud se, in presentia sua, visis literis, faciat confringi et comminui."

[2] *P.R., 1225–32*, pp. 339-40, gives the arrangements for sending in the king's absence. The "sigillum nostrum quod residere consueuit ad scaccarium nostrum" is now also frankly called "sigillum nostrum de scaccario." It was recognised now as a departmental seal.

need for a special mandate to the treasurer to deliver it to Neville.[1] Accordingly, there was in essentials a double chancery, that in the exchequer, and that in the king's court, as well as the double treasury of exchequer and wardrobe. Though there was not yet a "chancellor of the exchequer" in later phrase, the "chancellor's clerk" of the *Dialogus* was now appointed by the king, though Henry's deference for his chancellor had caused him to appoint Nicholas of Neville, bishop Ralph's brother, to that office.[2]

With treasurer and chancellor in England, the justiciar was the only great officer of state with the king. Save for Hubert, the household departments alone conducted the administration of the king's expedition to France. We have seen how this worked out in finance. It was hardly different in general executive work. The wardrobe clerks were equally active in this as in treasury operations, and for the first time we have clear evidence that the two stewards of the household co-operated with them. Just as one steward of the household, Geoffrey of Crowcombe, seems to have worked with them on finance, so did the other steward, Ralph Fitznicholas, share with them in administration. It would be tempting to maintain that the custody of the great seal during the transfretation was vested in the wardrobe also; but we have positive evidence that the great seal was kept during this period by Nicholas, the chancellor's brother, who had up to the end of 1229 been virtual keeper of the exchequer seal, and was therefore familiar with the technique

[1] Unless the suggestion made earlier (above, p. 137, note 2) be admissible, there had already been a noteworthy development since the days of the *Dialogus*. The *Dialogus*, i.-vi. pp. 82-3, wrongly, I think, states that mandates of issue, otherwise writs of *liberate*, were sealed with the "exchequer seal." These facts show that the issue of writs of *liberate* were now a purely chancery function, since the seals were so far differentiated that the exchequer would be "auditing its own accounts" if it obeyed mandates under its own seal. The reference in the Preface to *C. Lib. R.* i. vii to *ib.* p. 181 as evidence that such writs could still be issued under the exchequer seal is not relevant, since this text only refers to the exceptional state of things after the king's transfretation in 1230. I feel quite sure that the numerous writs of *liberate*, enrolled since 1200, on what came to be called the "close roll," were all in the same way writs of chancery under the great seal, unless there is evidence to the contrary on the face of the writ.

[2] This is true of Nicholas' successor, Robert of Saint-Medard, appointed on Nov. 8, 1229, "ad scribendum in scaccario regis loco Nicholai de Neville, nomine R. Cycestrensis episcopi, cancellarii regis"; *C.R., 1227–31*, p. 263. That Nicholas was the chancellor's brother comes from *P.R., 1225–32*, p. 246, his presentation to the living of Hurstbourne, Hants.

of drawing up and sealing writs. It is another proof that the chancellor was still regarded as the normal keeper of all regal seals when his deputy, as keeper of the exchequer seal, was thus transferred to the keepership of the great seal, when it was used by the king abroad in the absence of the chancellor.[1] But a deputy chancellor, even more than a magnate chancellor, would have been strictly a household clerk, and there is no reason to suggest any conflict between him and his wardrobe colleagues. Anyhow the special rolls of letters, patent and close, issued by the king during his transfretation, are exactly similar in form and quality to those issued by the chancellor himself in England.[2] The only peculiar feature of them is the very large proportion of the letters close of a somewhat exceptional type, being mandates to the chancellor to perform the duties of his office, either as chancellor or as regent. It is true that the great majority of them are jointly addressed to the two regents. None directly instruct the chancellor to issue a writ, but many of these executive acts must have involved writs of chancery. To a later generation a mandate under the great seal as a chancery warrant would indeed have seemed a strange thing. But when the king had no privy seal, and its usual substitute, the justiciar's privy seal, was kept in the English exchequer, neither Henry nor Hubert had any other instrument available for giving effect to their wishes.

Henry III. had a real grievance in not being allowed a privy seal. He was now a major of five years' standing, and yet he was denied the possession of a personal seal. Every great man, ecclesiastical or lay, now had a privy seal of his own. Reference has been made to the privy seals of William Marshall and Hubert de Burgh. We also know that earl Warenne possessed a privy seal,[3] as did Llywelyn ap Iorwerth, the mighty prince of Wales.[4]

[1] Nicholas's deputyship is illustrated by *P.R., 1225–32*, p. 409. "Memorandum quod omnes carte predicte liberate sunt in garderoba domini regis Waltero de Kyrkeham, clerico de eadem garderoba, per manus *Nicholai de Neville, tunc gerentis vices R. Cicestrensis episcopi*, cancellarii domini regis." Nicholas was with the king during the expedition; *ib.* p. 361.

[2] They are in *ib.* pp. 368-411, and *C.R., 1227–31*, pp. 409-451.

[3] *Royal Letters*, i. 15-16 (about 1218), "quoniam autem magnum sigillum meum mecum non habui, presentes literas priuato sigillo meo feci sigillari."

[4] *Ib.* i. 177 (about 1221), from *A.C.* iv. No. 18, "et quia sigillum magnum non habemus, sigillo priuato sigillauimus has literas." The printed text accurately follows the MS. reading. That Llywelyn should have no great seal

It looks as if the household officers who surrounded the king in France played upon his susceptibilities, and excited his anger against Hubert, whose failures in Kerry and France had weakened his position and who had now little support save among certain sections of the magnates. It is pretty clear that we must reckon, among the many signs of the increasing ill-will which the young king had already begun to feel with regard to Hubert, that, after his return from the continent, Henry was no longer content to communicate with his chancellor under the justiciar's seal. If he could not have a personal seal, he could at least use that of a devoted *familiaris* rather than that of his austere schoolmaster. In November 1230 three letters close were enrolled, which were issued *per mandatum regis sub sigillo Galfridi de Craucombe*.[1]

It was more consistent with the young king's punctilious regard for his position to issue mandates under the seal of a personal dependent, like the steward of his household, probably the chief of the two stewards. Thus Henry consciously set up the authority of the domestic officer of the palace against that of the high minister of state, imposed upon him by the baronage at large. Naturally, however, such a half-measure as this could not long satisfy the young king's personal dignity. Early in December 1230 Henry, like his father, had a privy seal of his own. Its existence was another sign that the power of Hubert was rapidly on the wane.

The first record of the existence of Henry III.'s privy seal is found in a writ which, curiously enough, is the only surviving original writ of privy seal for the whole reign of Henry III. It is still preserved among the "chancery warrants," kept by the

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is incredible, and the contrary can be proved, for in *ib.* i. 369 (1230) Llywelyn writes to the younger William Marshall, earl of Pembroke, "Nec moueat uos quod has literas meas secreto sigillo nostro sigillari fecimus, quoniam magnum sigillum nostrum penes nos non habuimus." It is clear then that all the Welsh prince means in the earlier letter is that he has not the great seal with him at the moment. In the second letter the use of "secretum" by Llywelyn, as equivalent to "priuatum," is interesting at so early a date.

[1] *C.R., 1227–31*, pp. 458, 460. The dates are Nov. 15, 20, and 23. There are later examples of Henry's employing Crowcombe's seal in this year's roll. See later, pp. 211 and 212. "Craucombe" is in all probably Crowcombe. Somerset, a manor held in the next generation by Simon of Craucombe. Geoffrey was joint steward of the household, with Ralph Fitznicholas from 1225 to 1236; *P.R., 1216–25*, p. 552; *C.P.R., 1232–47*, p. 152. He was made sheriff of Oxfordshire in 1225; *P.R., 1225–32*, p. 9. Crowcombe was Hubert's enemy.

clerks of the chancery as their authority for issuing writs under the great seal.[1] It is a writ in favour of that same Geoffrey of Crowcombe, the steward, whose seal, at the moment, was being so extensively employed by the king in analogous mandates to his officers. The steward's seal ordered the chancellor to draw up letters under the great seal informing the justices, about to itinerate in Oxfordshire, that the king has absolved Geoffrey of all complicity in the escape of two malefactors, who had managed to get out of Oxford gaol when Geoffrey was sheriff of Oxfordshire. The *teste me ipso*[2] and other formal indications led M. Déprez to classify the document as a "letter close sealed with the privy seal," rather than as a "letter of privy seal" in the later sense of the phrase. Nevertheless, apart from such formalities, it is very strictly a letter of privy seal, since it discharges a characteristic function of so many thousands of similar documents in giving the chancellor a warrant to draw up letters under the great seal. It is dated simply "2 Dec." Fortunately the letter close, drawn up the next day by the chancellor in accordance with the mandate, has been enrolled in the roll of 15 Henry III., and so enables us to give the year 1230 as that in which was issued this first survivor of a new type of record.[3]

[1] *C.W. File*, i. No. 1. It is a small strip of parchment, 6½ inches long by 1½-2 inches broad, and bears no trace of a seal. It is printed in full in Déprez, p. 10. M. Déprez adds, "Cette pièce, unique à notre connaissance, prouve du moins l'existence, sous le règne de Henri III, d'un sceau privé. Mais il y a lieu de supposer que la royauté n'avait pas encore pris l'habitude de s'en servir dans ses rapports avec la chancellerie. La lettre de sceau privé fait véritablement son apparition avec Édouard I^er^." Since Madox's time it has been known that there was a privy seal since the days of John, and we have seen that John himself, like Henry in this very case, used letters of privy seal in his relations with the chancellor. Except in the limited sense that no other such letters save this have survived before 1275, M. Déprez' statement cannot be substantiated.

[2] The form "teste me ipso" is generally said to involve the use of the great seal. Besides this evidence to the contrary, we have several examples at the time and later of "letters patent and close under the privy seal," which employ the habitual formula peculiar to letters patent and close. It is therefore a rash inference to assume that "teste me ipso" presupposes in every case the use of the great seal. Compare note 3, pp. 135-136 above.

[3] *C.R., 1227-31*, pp. 460-1. There follows a similar writ, addressed to the justices itinerating in Berkshire. The letter surviving among the chancery warrants is also an early instance of the use of the privy seal for communications between the king and an absent chancellor, for it was drawn up "apud Hamsted" and the chancery writ was issued next day at Westminster.

A little group of documents, enrolled on patent and close rolls, show us that the letter of December 2, 1230, was no isolated act. Among the patents of the year is a licence to elect a new abbot of Cirencester, issued on December 5, *per literas regis sub priuato sigillo*.[1] The next entry, a letter of protection, is similarly authenticated, but there immediately follows a patent issued *per literas regis sub sigillo G. de Craucombe*.[2] At the very same time a larger group of letters close shows the continued use made of the privy seal. Side by side with several writs, issued *teste J. Bathoniensi episcopo apud Westmonasterium, quinto die Decembris, per literas regis sub sigillo G. de Craucombe*, is a grant to Crowcombe himself, *teste ut supra, per literas regis sub priuato sigillo*.[3] Three analogous letters closely follow, dated December 7, 8, and 14,[4] though the use of Crowcombe's seal as the equivalent to the king's privy seal is not yet abandoned.[5] Thus the privy seal becomes a permanent element in the royal administrative system.

Post hoc is not necessarily *propter hoc*, yet it may not be altogether fanciful to see in the establishment of a permanent privy seal an indirect result of the beginnings of the separation of the chancery from the court, of which we have already spoken. The magnate chancellors for life had many preoccupations to take them away from the court, and represented a policy which was in no wise necessarily that of the king. Their staff, the clerks and sergeants of the chancery, were already beginning to be distinguished from the chaplains and sergeants of the royal chapel. This tendency was emphasised during the king's transfretation in 1230. Accordingly, Henry III. had more necessity to correspond with the absent chancellor than had his predecessors. During his absence abroad his possession of the great seal had enabled him to do this through the chancellor's own seal. On his return, he felt the pressing need of a sealing instrument that would more closely subserve his personal wishes than the

"Hamsted" was, I expect, Hampstead Marshall, Berks, near Newbury, and nearly 60 miles from Westminster.

[1] *P.R., 1225–32*, p. 418.

[2] *Ib.* p. 418, cf. pp. 458, 460, 461.

[3] *C.R., 1227–31*, p. 461.

[4] *Ib.* p. 462.

[5] *Ib.* p. 463. It is continued so late as Nov. 13, 1232, and April 27, 1233; *ib., 1231–34*, pp. 2, 214.

great seal of the chancellor could do. Henceforth, the existence of the privy seal, which was necessarily in the custody of the king himself or of an officer of the household, tended to draw a similar dividing line between the administrative departments of the court and the administrative offices of the state. The development of the wardrobe and chamber, which we have already studied, tended in the same direction. By 1232 it was for the first time possible for a modern observer to perceive, not only as regards the exchequer, but also as regards the chancery, a substantial advance in the distinction between the services of the court and the services of the nation. The line between them became more patent when the crisis of 1232 gave Henry III. his first chance of governing as well as reigning.

SECTION IV

The Position of Peter of Rivaux, 1232–1234

At the eve of a great crisis it may be well to summarise briefly the results of the development of court administration during the minority of Henry III. The central fact is the growth of the wardrobe, both as a household treasury, and as the source of extraordinary war expenses. With the revival of the privy seal the wardrobe was beginning also to be a household chancery, the more so since the "great chancery" was ceasing to be merely a court office. As the wardrobe grew, the chamber seemed to retreat into the background. If that were not the case, we are at least but scantily informed as to the nature of its activity. Despite this, the chamber remained the higher department, and the wardrobe was subordinated to it. The two clerks who accounted for the wardrobe were under the direction and control of the treasurer of the chamber. Yet one of these accounting clerks of the wardrobe could also be called a clerk of the chamber, and the undoubted treasurer of the chamber could be associated with his subordinates in the designation common to both of "clerks of the wardrobe." Our next business is to show in what ways the revolutionary changes of 1232 modified the tendencies which we have seen already at work.

The historian of household administration is exposed to the constant temptation to deviate from the narrow lines of his subject into general history. Apart from the natural attraction towards mitigating by such digressions the excessive dryness of his chosen theme, the line between events which influenced the court and events which influenced the country is extremely hard to draw, and sometimes such a line cannot be said to exist at all. This is notably the case with the curious and gradual process by which Henry III. got rid of Hubert de Burgh, and surrendered at discretion to the counsels of Peter des Roches. The bishop of Winchester had re-established himself in the king's good graces by the summer of 1231. There were a few victims of this partial triumph, notably Ranulf the Breton. Apart

from this, however, the friends of Hubert and the allies of bishop Peter continued to live side by side, and to all appearance shared the royal favours for the whole of another year. Up to the middle of July 1232 it looks as if the king's main concern was to make himself pleasant all round by a lavish distribution of office and honour to the chiefs of the two contending factions. The household had indeed been purged of the friends of Hubert. Geoffrey of Crowcombe remained chief steward, but was henceforth to be reckoned among Hubert's fiercest enemies.[1] Peter of Rivaux was, as we have seen, treasurer of the chamber, so that both lay and clerical heads of the household were thoroughgoing partisans of bishop Peter.

On the other hand the three great offices of state remained with their former holders. Hubert continued justiciar, bishop Neville remained chancellor, and bishop Mauclerc was still treasurer of the exchequer. So late as June and July 1232 the king lavished on these three dignitaries new grants which still further strengthened their position. Hubert received charters by which he was allowed to exercise by deputy the office of justiciar, was made justiciar of Ireland, was quit of rendering any account by reason of his justiciarship, and received for life the custody of the Tower of London and the castles of Odiham and Windsor.[2] Ralph Neville was again made chancellor and keeper of the king's seal for life, with power to appoint a deputy.[3] Walter Mauclerc was similarly granted "the office of treasurer of the exchequer of England for life," with the same power of selecting his own deputy.[4] The effect of these grants was not only to continue these three anticurialist ministers in office, but also to make them irresponsible and irremovable. No doubt this strengthening of their position was their compensation for acquiescing in an even more remarkable series of grants to Peter of Rivaux. The exact nature of these grants we shall soon have to study in detail, but it is enough to say at present that their

[1] Wendover, iv. p. 251, describes in detail Crowcombe's prominent share in bringing about Hubert's arrest in 1232. For Peter de Rivaux' part in the same, see *ib.* p. 257.

[2] All the chief grants of 1232 were made by charter and are summarised in *C. Ch. R.* i. pp. 163-177. The dates of the grants to Hubert mentioned above are June 11 (p. 156), June 15 (pp. 156-7), June 27 (p. 164), and July 7 (p. 163).

[3] *Ib.* p. 156 (June 14). [4] *Ib.* p. 165 (July 2).

effect was to give him authority much greater and much more revolutionary over court and nation than that so lavishly conferred on the three great ministers of state. The effect of this general diffusion of favours was to lure Hubert into a false security, and to detach the chancellor and the treasurer from his party. When this had been accomplished, the heavy hand of the Poitevins fell upon the earl of Kent. On July 29, only three weeks after the grant which made him keeper of three of the strongest fortresses of the realm, Hubert was driven from the justiciarship, and was pursued after his fall by a cruel vindictiveness which aimed at his complete ruin. Geoffrey of Crowcombe, the steward, was foremost in bringing about his disgrace.[1]

The rule of Peter des Roches continued from 1232 to 1234. During all this time the bishop of Winchester held no great office, either in the state or the household. Such few appointments as he had, the sheriffdom of Hampshire, the constableships of Winchester, Carisbrooke, and Christ Church castles,[2] seemed conferred merely to strengthen his local position as bishop of Winchester. To official rank, he preferred remaining the power behind the throne. In this irresponsible but dangerous position, he worked through kinsfolk and adherents who were mostly his own countrymen. Among those his nephew was the chief agent for giving effect to his wishes. As the revolution was a court revolution, it was fitting that the largest share of ostensible power should be given to a creature of the court. It is true that Peter of Rivaux' authority soon extended beyond the limits of the household appointments. Nevertheless, the essential element of his position always lay in the remarkable combination of court offices, conferred on him in the summer of 1232.

Let us see what these appointments were. Firstly, Peter of Rivaux had been given, on June 11, 1232, "the custody of the wardrobe, the chamber, and the treasury of the king's household for life," with power, if he "changed his condition by being called to an ecclesiastical dignity or to a lay honour, to retain

[1] Wendover, iv. 251.

[2] *P.R., 1225–32*, pp. 466, 467; *C.P.R., 1232–47*, p. 23. For bishop Peter's magnificent state at Winchester, see *Dunstaple Annals*, p. 127.

the said office, appointing a sufficient deputy."[1] This was, in effect, the re-grant for life of offices already held by him during pleasure.[2] There was, however, a slight variation in the terms of the temporary and permanent appointments. The earlier office had been "treasurer of the king's wardrobe and chamber"; the later that of "keeper of the king's wardrobe and chamber, and treasurer of the household." The latter may be slightly more comprehensive, but the effect of both was to emphasise the close union of both the wardrobe and chamber under a common head, and to recognise that the Poitevin's functions extended over the whole of the household. As Peter's deputy was allowed to remove at his pleasure all the servants and ministers in the offices entrusted to him, and all the said servants and ministers were "subordinate and accountable to him," it is certain that Peter himself had a similar autocratic sway over wardrobe, chamber, and household treasury alike.

Another charter on June 15, gave Peter, already made supreme over domestic finance, the custody of the king's small seal for life, with similar power to appoint a deputy, if called to higher office in church or state.[3] This grant is noteworthy because it is the first occasion in which a keeper of the small seal is mentioned by name, and because we shall have to go to the early years of the fourteenth century before we can find the name of any successor to Peter as keeper of the small seal. It is also the first occasion when the custody of a royal seal is definitely and permanently withdrawn from the chancellor. To complete the list of Peter's household posts we must add the grant for life, on June 28, of the office of king's chamberlain of London,[4] a humbler post which made him the subordinate of that branch of the household which was directly under the steward. Analogous to this was his appointment to act as buyer on the king's behalf in all markets and fairs.[5]

The position of the courtier-minister was further strengthened

[1] *C. Ch. R.* i. 156. Wendover, iv. 244, recognises accurately the nature of his office "Ranulphum etiam cognomento Britannum camerae suae thesaurarium, ab officio deponens . . . et loco illius substituit Petrum de Rivallis."

[2] *C. Ch. R.* i. 164, shows clearly the names of the offices he had held before the grant for life.

[3] *C. Ch. R.* i. 157. [4] *Ib.* i. 163. [5] *P.R., 1225–32*, p. 491.

by an extraordinary combination of offices outside the sphere of the household. Peter de Rivaux was made sheriff for life of no less than twenty-one counties.[1] He was also made constable of many royal castles, including some of the chief strongholds of the south and west, especially many in the Welsh march. Peter was also appointed chief justice of the English forests for life,[2] and keeper of all escheats and wardships.[3] In Ireland, moreover, he was appointed, in each case for life, treasurer and chamberlain of the exchequer, chief escheator, warden of the mint and Jewry, and constable of many castles.[4] To make the record of his offices complete, we must anticipate his appointment on January 6, 1233, as treasurer of the English exchequer.[5] It was perhaps to prepare for this that Peter surrendered most of his sheriffdoms by Michaelmas 1232.

Even allowing for the voluntary surrender of his counties, the accumulation of offices in the hands of Peter of Rivaux remains absolutely unprecedented in our history. No doubt the immediate motive was simply to play a new move in the game of winning power for the Poitevins. It might therefore seem rash to suggest that the revolutionary expedients of the moment had any permanent results. Yet the position of Peter of Rivaux in both household and state harmonises so well with certain general tendencies in administrative history that it would be still more hazardous altogether to explain away its significance. It is pretty certain that the grouping together of all the household administrative posts under so prominent a personality had an important effect in crystallising the organisation of the wardrobe and chamber into permanent and definite shapes. Moreover, the whole crisis suggests that the tendencies obvious in some of the ministerial crises of the fourteenth century were already at work. I mean that the struggle was almost consciously a struggle between the ministers dependent on the court and willing to carry out every wish of the crown, and the

[1] *P.R., 1225–32*, pp. 486, 489. [2] *C. Ch. R.* i. 489.
[3] *Ib.* i. 491. [4] *Ib.* i. 493, 494, 500, 569.
[5] Wendover, iv. p. 264. *C. Ch. R.* i. 176, gives, on March 5, 1233, the grant of the treasury of the exchequer for life to Peter of Rivaux. But he had been previously given, by patent, the custody of the treasurership of the exchequer on Jan. 6; *C.P.R., 1232–47*, p. 7. The grant was renewed on Jan. 19; *ib.* p. 8. Compare *Winchester Annals*, p. 86.

holders of the great offices of state, who, though equally ministers of the crown, considered themselves the mouthpieces of baronial policy, and were only obedient to the king when he followed the counsel of his magnates. The fall of Hubert, then, represents in effect the triumph of the court officials over the baronial ministers. It was the precedent for many similar contests between the court and the ministry in future years, and notably for the strictly analogous expulsion of the ministers by the courtiers in 1340.[1]

The attitude of the two Peters to the great officers of state emphasises this tendency. Stephen Segrave, the new justiciar, was a lawyer rather than a statesman, and never aspired to keep up the great traditions of his office.[2] With him, therefore, the Poitevins had no trouble. It was otherwise with the treasurer and the chancellor. Both these ministers stood in a stronger position than Segrave. Both were bishops of important sees; both held office for life; both shared in the Hubertian tradition, and both had been rewarded for recent complacency by fresh grants of their charges. The position of bishop Mauclerc was, however, less secure than that of bishop Neville. The enormous powers given to the treasurer of the chamber had greatly circumscribed the authority of the treasurer of the exchequer. The chief hold of the exchequer over the wardrobe was in the obligation of the latter to tender its accounts to the former. But a charter of June 25, 1232, granted to Peter "that he be quit of rendering any account of his office from the date at which he became treasurer of the king's wardrobe and chamber up to the date at which the king granted to him for life the office of keeper of the king's wardrobe and chamber and treasurer of the household," and also granted "to him and the persons appointed by him a similar exemption for the period of a year from that date."[3] The effect of this grant was not only to release him from past

[1] See later in Vol. III. Compare also similar, but less clearly defined, crises under Edward II., notably in 1312 and 1314.

[2] Segrave was an early example of the numerous class of clerks, successfully practising the common law, who renounced their clergy for knighthood in the hope of establishing a hereditary position. On his fall he was glad to plead clerical privilege; Wendover, iv. 312; "qui prius a clericatu ad militiam confugit, nunc e contrario ad clericatus officium reversus."

[3] *C. Ch. R.* i. 164. The day before an even wider quittance of account was given to Hubert, but it availed him nothing after his fall.

accountability,[1] but to give him an irresponsible independence for the first year of his enlarged authority. Under such circumstances, Peter was far more securely placed than even the treasurer for life. I have not found any renewal of this grant. Yet that Peter always lived up to its spirit is strikingly shown by the fact that, though he had custody of the household offices of finance for three considerable periods, ranging from 1218 to 1258, there survive no accounts rendered by him to the exchequer for any of those times.[2] As most of the other wardrobe accounts of the period after 1224 are extant, it almost looks as if Peter made a point of never sending his accounts to the exchequer. However that may be, there was no question of accountability after January 1233. At that date Mauclerc was forced to relinquish the office which he nominally held for life, and Peter of Rivaux was, as we have seen, made treasurer of the exchequer in his place.

Thus in addition to the consolidation of the household offices under Peter, the domestic and the national treasuries were for a brief space brought under one head. It is significant that Peter, after getting the two treasuries under his control, administered personally the treasury of the household, but delegated the charge of the treasury of the exchequer to his tool, Robert Passelewe.[3] Even before Peter became head of the

[1] *P.R., 1225–32*, p. 478, shows that Peter des Roches received a similar quittance of all past accounts.

[2] The gaps in the wardrobe accounts of Henry III.'s reign are as follows: (1) Accession to Jan. 5, 1224; (2) April 10, 1227, to May 17, 1234; (3) Oct. 28, 1252, to Jan. 10, 1255; (4) April 29, 1257, to July 7, 1258. These gaps include all Rivaux' three custodies of the wardrobe, which are roughly: (*a*) Nov. 1218 to Jan. 1224, covering period (1); (*b*) the summer of 1231 to May 1234, during the latter part of period (2), and a custody (*c*) which covers the whole of period (4). Gap (3) occurred when the court and wardrobe were in Gascony, and when the death of the keeper Chaceporc sufficiently explains the absence of accounts. In 1232 Peter was expressly instructed to account in the exchequer for some of his non-household offices. Perhaps his resignation of his sheriffdoms was occasioned by his wish to avoid the Michaelmas account. Anyhow I cannot find that he accounted for any of them. But we cannot draw a legitimate inference from such short tenures of office.

[3] Passelewe, a former clerk of Falkes de Bréauté (Wendover, iv. 103), became his deputy on his appointment on Jan. 6, 1233; *C.P.R., 1232–47*, p. 7 (cf. Wendover, iv. 264, "qui sub Petro de Rivallis thesauros regis servabat"); and was still acting when on June 1, 1234, Peter surrendered the exchequer to his successor, Hugh de Pateshull; *C.P.R., 1232–47*, p. 53. The treasurership of the exchequer does not seem to have been looked upon as an office involving such a "change of condition" as was contemplated in the charter of June 11, 1232. Anyhow Peter did not, as authorised by that charter, appoint a deputy to act in the wardrobe and chamber, but preferred to have one in the exchequer.

exchequer, he kept a tight hold over it through his clerk, Richard de la Lade, resident at the exchequer on his behalf, who kept not only the key of the treasury assigned to him, but the keys of the treasurer and the chamberlains.[1] Peter's exemption by charter from rendering accounts makes it impossible to assess accurately the respective magnitude of the financial operations of the two treasuries during his control of both. Yet even the imperfect indications of the patent rolls show us that in the eight months between May 25, 1233, and January 15, 1234, Peter received in the wardrobe the sum of £5349 : 5 : 10½[2] as the proceeds of a fortieth, levied through the sheriffs, who normally would have paid these sums into the exchequer. But large amounts still went from the exchequer to the wardrobe. In 17 Henry, from October 1232 to October 1233, there were delivered out of the exchequer by writ of *liberate* some £4592, to "our treasurer, Peter of Rivaux," for purely wardrobe purposes.[3]

So completely did Passelewe discharge the treasurer's work that Wendover, iv. 314, treats of him as the real successor of Mauclerc, "qui post Walterum Karleolensem officium thesaurarii administraverat."

[1] *C.R., 1231–34*, p. 118.

[2] This sum has been attained by adding up the amounts recorded as received in the wardrobe during this period in *C.P.R., 1232–47*, pp. 17-40. It certainly only represents a fraction of the sums which passed through this channel, as only very special circumstances would cause their entry on the patent roll. Compare the following note. The last time Rivaux was acting, we had to seek for evidence of his finances on the close roll, but this enrolment for this period is quite barren. It should also be noticed that, as treasurer of the chamber, Peter received in 1232 the custody of the forfeited plate and jewels of Hubert de Burgh, which had been deposited in the Temple; *ib.* p. 5.

[3] This is got by adding the *liberate* writs for the year in *C. Lib. R.* i. 188-239. Compare, for parts of the same year, *Issue Roll*, No. 1202, Hilary Term, 17 Hen. III. mm. 1, 2, where the issues of Hilary term only, on the warrant of such writs, amount to £2613 : 6 : 8. But to these totals must be added the large sums which the exchequer was ordered by writs of *computate*, *contra-brevia*, etc., to put down to the account of various persons who had paid them into the wardrobe. These sums in 17 Hen. III. amounted to nearly £1900. The relevant portions of the issue rolls are in effect exchequer "liberate" rolls. Compare Preface, p. vii, to *C. Lib. R. Hen. III.* vol. i., which demonstrates that the earliest "Exchequer Liberate Rolls are in reality the earliest members of the great series of Issue Rolls of the Exchequer of Receipt." In these cases the money was given to Rivaux, "ad expensas nostras acquietandas," "ad pacandum seruientibus nostris ad arma," or "in parte solucionis liberationum suarum," etc. The patent rolls for the whole of Rivaux' period record only two payments from exchequer to wardrobe, amounting to £1266 : 13 : 4; *C.P.R., 1232–47*, pp. 6, 40. This shows how accidental it was for such payments to get recorded in any chancery rolls. Unfortunately there are no *liberate* rolls for 18, 19, and 20 Hen. III.

Adding to these the sum of writs of *computate*, we know that at least £6500 was paid by the exchequer to wardrobe account in 17 Hen. III. A curious result followed from the combination of the two treasuries under a single head. We now constantly read royal orders to Peter in his capacity as treasurer of the exchequer to hand over money to himself in his capacity as treasurer of the wardrobe.

The somewhat meagre exchequer records[1] of these years throw little light on the personal activity of Peter at the exchequer, and suggest that the work of the exchequer under him hardly went beyond the most ordinary routine. It is perhaps interesting that several documents speak of the exchequer as the exchequer of London,[2] as if a distinction was suggested between the stationary office in London and the itinerating treasury of the wardrobe which followed the court.[3] Without wishing to dogmatise without sufficient data, it is fairly clear that the wardrobe rather than the exchequer was now the thing that mattered. Are we reading too much into these facts in suspecting on the part of the courtiers a deliberate policy of ruling England through household officers, and making the exchequer, the greatest office of state, as closely dependent as in Norman times on the domestic servants of the king ?

As keeper of the king's small seal, Peter of Rivaux might well have been brought into conflict with bishop Neville, who, as chancellor, kept the great seal. It is of real significance for us that Peter's appointment to the small seal gives us the first clear evidence for England of what both later usage at home and abroad would suggest to be natural, namely, that the custody of the small seal was essentially a function of the wardrobe or chamber. Thus we see the beginnings of a domestic chancery, set up over against the great chancery, now beginning to escape from strict household trammels. I cannot, however, find that Peter

[1] The exchequer rolls of the Rivaux period are somewhat imperfectly preserved. The most complete, excluding the pipe rolls, are the memoranda rolls, Nos. 11, 12, 13. These are continuous from Michaelmas 1230 to Easter 1234, but are uninforming for our purpose and extremely meagre. There are no receipt rolls between 10 and 21 Hen. III. save those for Hilary and Easter terms 17 Hen. III. Nos. 10, 11. The only issue roll is that of Hilary term 17 Hen. III. No. 1202.

[2] *C.P.R., 1232–47*, pp. 40, 53.

[3] *Memoranda Roll*, No. 13, m. 10 d, shows the wardrobe at St. Briavel's on Dec. 19, and at Worcester on Dec. 22, 1232.

made any direct effort to impose the authority of the domestic chancery, which he controlled, over the official chancery, presided over by Neville. There were, perhaps, two chief reasons for this. The chancery was still only in the beginnings of its development as an office of state, and could hardly be looked upon as hostile to household influence when it was still for many purposes part of the household. Besides this, the personal position of Neville was stronger than that of Mauclerc. It was not only that, like Mauclerc, he held office for life, but, unlike Mauclerc, he was hard to get rid of because his appointment for life had originally been "by the assent of the whole realm,"[1] and it had been provided that he should only be removed from office by the action of the great council. Thus Neville had a quasi-constitutional position which repeated renewals of the grant for life, as an act of prerogative, did not altogether destroy. The last of these was in May 1233, but this grant did little to comfort the chancellor. Neville soon became so dissatisfied with his position that his loyalty to Henry III. was permanently weakened. Though no effort was made to remove him from office, he remained powerless until the events of 1234 brought back some measure of authority to his baronial associates.

There is one piece of clear evidence that an effort was now made to assimilate the position of the domestic chancellor to that of the chancellor of England. In the grant of the small seal to Peter of Rivaux it was provided that Peter "shall have a clerk faithful to the king at the exchequer of receipt, who shall keep a roll of the king's treasure received there, against the other rolls of that exchequer, and sit in the stead of the said Peter at the great exchequer."[2] This, besides investing the domestic treasurer with direct authority over the quasi-national exchequer treasury, looks very much like an attempt to give the keeper of the small seal a similar power over the great seal by transferring to him the right of the chancellor to have a delegate in the exchequer because of the position of the chancellor's clerk there, ever since the days of the *Dialogus de Scaccario*. Unluckily there is not much record evidence of the use of the small seal during Peter's custody, not even enough to make it absolutely certain that it was identical with the privy seal, as we have ventured to assume.

[1] Mat. Par. *C.M.* iii. 74. [2] *C. Ch. R.* i. 157.

We know, however, that, on July 24, 1233, the chancery again issued a letter patent whose warranty was a royal letter under the privy seal.[1] This is the first warranty of this description that I have noticed since the reign of John. Moreover, some of the writs of *liberate*, now issued to the exchequer under the great seal, were similarly warranted by writ of privy seal.[2]

Some light may be thrown on Peter's custody of the small seal, by the well-known and touching story in which Roger of Wendover, a contemporary chronicler, nearing the end of his literary career, relates the plot by which Richard Marshall was, early in 1234, lured on to his death in Ireland. The beginning of the conspiracy was when Peter des Roches, Peter of Rivaux, and other royal councillors sent what Wendover called "a charter of treachery" and "a bloody writing" to certain magnates of Ireland. This document declared that the earl marshal had been adjudged a traitor, and exhorted the magnates, if he came to Ireland, to effect his capture. To this letter the Poitevins compelled Henry to place his seal.[3] If the king's word could be trusted, they took this step without giving him any knowledge of the contents of the letter.[4] There is no record of such a letter in any of the chancery rolls, and the style of what Wendover professes to summarise and quote is extremely different from that of the authentic royal letters of the time. If the story be not mere chroniclers' gossip, an authentic letter of such a tenor would be much more likely to be sealed with the "small" than with the great seal, especially since it was not enrolled in the chancery rolls, and since Ralph Neville, the chancellor, is nowhere mentioned as one of the royal councillors concerned, while Peter of Rivaux, the keeper of the small seal, was the chiefest of the

[1] *C.R., 1231–34*, p. 241.

[2] *I.R.* No. 1202, m. 1 d. The writs are dated Feb. 17 and 21, 1233.

[3] Wendover, iv. 292, "et cum earundem tenorem literarum rex penitus ignoraret, compulerunt eum sigillum suum apponere, cum quo etiam et ipsi sua apponentes sigilla numero undecim, cruentum illud scriptum in Hiberniam transmiserunt. Missa est autem hujus proditionis charta ad magnates Hiberniae."

[4] Wendover, iv. 311, "Rex confessus est quod, compulsus ab episcopo Wintoniensi et Petro de Rivallis et aliis consiliariis suis, jusserat sigillum suum apponi in quibusdam literis sibi presentatis, sed tenorem illarum se nunquam audisse cum juramento affirmavit."

offenders.[1] This probability is enhanced by Wendover telling us that the answer of the magnates was sent to the king's councillors "under secret seal."[2] Whatever instrument the king employed, the barons certainly used their "small seals" in this correspondence.

We are not here concerned with the success of this plot, and the tragic death of Richard Marshall in Ireland. What matters to us is that disgust at such misdeeds led to a general agitation against the Poitevins. This won an immediate success through the fortunate chance which put at its head the new archbishop-elect of Canterbury, Edmund Rich. Between April 28 and the end of June Peter of Rivaux was utterly stripped of place and power.[3]

On May 7 the fallen minister was summoned to appear before the king on June 24 at Westminster. There he was ordered to render account for all the receipts and issues of the offices which had been in his hands, whether they were in the royal household or outside the court.[4] The official summons is dangerously vague in its generality, but it is important for us that Wendover, whose accuracy in this relation is attested by his recording the

[1] Mat. Par. *C.M.* iii. 266, in one of his characteristic embellishments of Wendover, brings in both the chancellor and the great seal. After copying literally Wendover's account, Wendover, iv. 293, "cum igitur audissent . . . conarentur," he interpolates the following, "Tunc consiliarii saepedicti, violentia proditiosa subrepto sigillo regis ab Hugone (sic) Cicestrensi episcopo, tunc cancellario, non huic fraudi consentiente," and then continues the passage "per chartam regis," etc. as in Wendover. It is almost certainly safe to reject the addition, even if we accept the story as told by Wendover. Matthew's gloss seems to be based upon a confused memory of the removal of the seal from Ralph Neville in 1238.

[2] Wendover, iv. 293, "nuntios clam cum literis ad prefatos regis consiliarios transmiserunt, significantes illis communiter sigillo secreti quod," etc.

[3] The process was a gradual one. On April 28 the Irish justiciar and treasurer were ordered to obey his commands no longer; *C.R., 1231–34*, p. 412. On May 7 he was called upon to appear at Westminster on June 24 to account for his offices; *ib.* p. 419. His successor at the wardrobe, Walter of Kirkham, began to account for that charge from May 17; *Pipe, 19 Hen. III.* No. 79, m. 11 d. On June 1 he was ordered to surrender the exchequer to his successor, Pateshull; *C.P.R., 1232–47*, p. 53. On June 2 the officers of the ports were warned not to obey him; *C.R., 1231–34*, pp. 439-40. On June 3 the king remitted his rancour against Hubert de Burgh, and restored Ranulf le Breton to his estates; *ib.* pp. 442-3, and on July 12 Peter and his uncle were forbidden to leave the realm; *ib.* p. 570.

[4] *C.R., 1231–34*, p. 419, "reddere compotum de receptis et exitibus omnium balliuarum et wardarum que extiterunt in manu sua, tam in hospitio domini regis quam extra hospitium."

right day on which Peter was ordered to attend at Westminster, definitely tells us that Peter was also summoned to account for his misuse of the royal seal.[1] Wendover also adds to his narrative other more general accusations brought against Peter, first by the bishops in February and afterwards before the king in July. These included complaints that the two Peters "hated the English nation," had advised the expulsion of Englishmen from the royal household, had taken into their hands all the king's castles and military resources, and had reduced the exchequer under their power.[2] Such vague charges need not concern us, but the question of accountability and the charge of the misuse of the royal seal are strictly relevant to our subject.

With regard to the demand for Peter's accounts, it will be remembered that the culprit had been exempted by royal charter from rendering accounts for his household offices up to June 11, 1233.[3] It may well have been that Peter's immunity had not been continued beyond the year to which it was originally limited.[4] In this case Peter was liable to account for his household offices after June 1233, and in any case he had the ordinary obligation of accounting for his non-household appointments in the exchequer and elsewhere. On any showing, however, this requirement of accounts from the beginning was an absolute breach of the royal promise, as flagrant as the similar ignoring of a like pledge to Hubert de Burgh which had been disregarded when Hubert was driven from place at Peter's own instigation. But the king had now turned against Peter, as thoroughly as he had formerly turned against Hubert. Like the fallen justiciar, the fallen courtier was required to render complete accounts for all his offices.

Let us now turn to the charge of misusing the royal seal. When at last, on July 14, Peter tardily appeared before the king and his justices, Henry himself took up this charge, goaded perhaps to this change of face by the reproach of the bishops that the two Peters had ignored his authority and that "without

[1] Wendover, iv. 312-13. The charge had already been made by the bishops in Feb.; *ib.* iv. 296.

[2] *Ib.* iv. 295-6 and 311-14.

[3] *C. Ch. R.* i. 164.

[4] See above, pp. 219-20. We must not overstress the negative evidence that there is no extant record of the renewal of Peter's exemption from accounting. I have already suggested that the probabilities are rather the other way.

the seal or mandate of Peter of Rivaux no important business had been done." [1] "Thou traitor," angrily shouted the king, "it was through thy evil counsel that I unwittingly put my seal on the letters that betrayed the earl marshal." [2] We are nowhere told that the seal thus misused by Peter was the small seal, but, in the light of what has been said already, it is hard to resist the conviction that it must have been that small seal of which he had had the custody. On this hypothesis the whole story from the "letter of treachery" to the stormy scene at Westminster becomes full of meaning. In any case there is no doubt but that the first example of a constitutional opposition to the domination of household officers, fortified by the possession of the small seal, was that which triumphed when Peter of Rivaux was driven from power. Peter's misuse of the seal is put side by side with his misuse of the royal revenues. In both the administrative and financial spheres the household officer was warned off the work of the national chancery and exchequer.

With the fall of Peter of Rivaux perished the best chance of establishing a single orderly control by a court official over both national and household finance, and ultimately, perhaps, over both the national and the household chancery. Had the experiment in autocracy proved more successful, we might ultimately have had English administration worked out more on the lines of the unified monarchical control of finance and administration which was established in France before the thirteenth century had come to an end. But even at this date there was enough constitutional feeling in England to make blind alleys of such short cuts to a logical system of despotism as those into which the two Peters pushed their weak master. The attempt, too, was discounted by the unpopularity of Bishop Peter and the unworthiness of his nephew, who at no time seems to have responded to the needs of the position which was forced upon him. There was, in truth, more risk of smashing up the administrative machine by these spasmodic efforts than there

[1] Wendover, iv. 296: "Item, quia per sigillum vestrum [sc. regis] vel praeceptum, *sine sigillo Petri de Rivallis* vel praecepto, vix aliquod magnum negotium fit in regno, unde constat quod vos non habent pro rege" (bishops' complaint to the king, Feb. 2, 1233). I am tempted to believe that "Peter of Rivaux's seal" here must mean the small seal.

[2] *Ib.* iv. 313.

was likelihood of setting up an orderly autocracy. From both the real and the illusory danger the sturdy conservatism of the barons saved the state and thus ensured the permanence of the traditional administrative system.

Yet even as things were, there remained, as has been suggested, some small permanent result from the heaping up of various court offices on Peter of Rivaux. I have already given reasons for believing that Peter's period of power did further the completion of the process which we have seen working out slowly since the reign of John. Certain it is that after Peter's days we have a better consolidation of the household offices. From this the result was the establishment of the wardrobe rather than the chamber as the accounting and financial department of the household as a whole, and, therefore, the permanent annexation of the household treasurership to the office of the keeper of the wardrobe. It is true that the old names still persisted, especially in loose and popular language. Down to the end of the thirteenth century a keeper of the wardrobe may still be called now and then a "treasurer of the chamber,"[1] but such terms seem a mere survival of an archaic form of speech. We may assume, then, that after the years 1232–34 the king's personal treasurership was definitely dissociated from the chamber, and united with the custody of the wardrobe. We may believe too, though we cannot as yet prove it, that the custody of the small seal was henceforth a function of the wardrobe and not of the chamber. Moreover, the keepership of the wardrobe was henceforth a monarchical office, held by a single clerk. There were no longer, as there had been before Peter seized power for himself, two wardrobe clerks sharing equally the authority over the department. A single great officer of the household was permanently set apart to govern the wardrobe. He was called indifferently,

[1] The most conspicuous example is in Mat. Par. *C.M.* v. 655. "Circa festum Sancti Michaelis mortuo Hurtaldo (*i.e.* Artaud of Saint-Romain), domini regis consiliario et clerico speciali ac *thesaurario de camera regis*, subrogatur Petrus de Rivallis, alienigena alienigenae." It is interesting that the phraseology of 1232 should again be employed in 1257, when Peter began his last custody of the wardrobe. However, there are much later instances not complicated by such suspicion, notably when in 1290 Bartholomew Cotton speaks of William of Louth as "thesaurarius camere regis"; *Hist. Angl.* p. 176. The *Annals of Osney*, p. 325, under the same date describe Louth in more modern phrase as holding "officium thesaurarie garderobe regis."

keeper, clerk, or treasurer of the wardrobe, a department of which he was universally recognised as the head. No longer were the chief clerks of the wardrobe controlled and restricted by a "treasurer of the chamber." As another consequence the chief steward of the household becomes permanently associated with the keeper of the wardrobe, so that the two become jointly the lay and clerical heads of the household. As a further result, the wardrobe henceforth permanently overshadowed the chamber, and became the unquestionable centre of household finance and administration. Though the immediate effect of Peter's dual position was the essential fusion of wardrobe and chamber, the *camera* retained after his fall its separate identity. Henceforth it remained for a century a somewhat limited and restricted household office, the records of which have so completely perished that we know singularly little of its scope and operations. It is clear, however, that it stood somewhat aloof from the other household departments, so that within its sphere it was extremely independent of the control both of the wardrobe and the exchequer. It also claimed special dignity for itself and its officers by reason of their intimate association with the king's person. For a long time the *camera* possesses an inferior interest to the constitutional and to the administrative historian, save for one short period in the first half of the fourteenth century, of which we shall have to speak later on. Until this revival begins, want of information will compel us to remain almost silent about the chamber. We have our compensation in the numerous new developments which now occur in the wardrobe and in the parallel growth of the importance of the privy seal.

The silent and unconscious struggle, which established the wardrobe in a position of greater prominence and importance than the chamber and made it essentially independent of the older organisation, is, so far as I know, peculiar to English history. On the Continent the *vestiarium* of the Carolingian empire and the *garderobe* of the Capetian monarchy at no time aspired to more than the restricted and subordinate position in relation to the chamber which they had originally held. Even the papal *vestiarium* showed no such development, though in the opinion of so great a scholar as Monsignor Duchesne the papal wardrobe was an administrative department as early

as the sixth century, possessing archives and accounts, and controlled by officers competent to compile from its records so elaborate a tractate as the *Liber Pontificalis*[1] and its earlier continuations. But the early glory of an office, capable of educating the pope who crowned Charles the Great Roman emperor,[2] did not endure through later ages. By the end of the eleventh century the papal *vestiarium* had lost its ancient splendour and was absorbed ultimately in the offices of the papal chamberlain and papal sacrist.[3] As this happened before the English wardrobe attained its independent position, it is hard to see how it could have had any influence on its development. Before the English wardrobe had emancipated itself from the chamber, the papal wardrobe had become absorbed in it.

The problem arises, Why did the English wardrobe assume this unique position? The attempt to answer this question must be the merest speculation, such guess-work as is never likely to be substantiated but always liable to be overthrown by the discovery of some small detail that contradicts it. It is then with every hesitation that I seek to supplement the simple statement of the process of development by an attempt to conjecture some of its causes.

It is permissible to suggest that Peter of Rivaux' attempt to combine wardrobe and chamber in a single strong household office was inspired by a knowledge of the Roman system. Honorius III. (1216–1227), whose influence so decisively moulded the early policy of Henry III., was that Cencius who, when acting as papal chamberlain from 1187 to 1198, had drawn up

[1] *Liber Pontificalis*, ed. Duchesne, vol. i. pp. cliii, clxii, ccxliii. Monsignor Duchesne expresses himself with proper caution. The presumed author of the *Liber Pontificalis* was "au service du *vestiarium* pontificale, ou de l'administration qui en tenait lieu de son temps." The chief officer of it was "prior vestiarii," *ib.* p. 772, or "vesterarius"; cf. Ph. Lauer, *Le Palais du Latran*, p. 206 (École française de Rome, 1911).

[2] Leo III. (795–816) was brought up in the papal "vestiarium," where he studied psalmody and scripture; *Liber Pontificalis*, i. 102.

[3] See for "vestiario della santa Romana chiesa," G. Moroni, *Dizionario di erudizione storico-ecclesiastica* (Venezia, 1859), xcvi. 136-152. Moroni says of this "uffizio antichissimo" that it was "andato in disuso nel corso de' secoli, a cui successero il camerlengo della santa chiesa ed il sagrista del papa." See also P. L. Galletti, *Del Vestararo della santa Romana Chiesa*, Roma, 1758, and Cancellieri, *De Secretariis*, Roma, 1786.

in 1192 the *Liber Censuum Ecclesiae Romanae*, the first of the surveys which throws such strong light on the activity of the *camera apostolica* in the concluding years of the twelfth century.[1] It is certain that the men who had most to do with the development of the English chamber acted with full knowledge of the operations of its papal counterpart. There may then be some significance in this attempt to naturalise in England the system which obtained in Rome. We may accordingly not be overbold in guessing that the failure of Peter's effort and the resultant establishment of an independent wardrobe may be regarded as one aspect of the national English reaction against alien influence, the effects of which we shall see when we deal with the administrative history of the later part of this reign. Other causes, however, are still more probable. Let us examine what they may have been.

The beginnings of the tendency towards the separation of the chancery, under the magnate chancellors, from court interests, and even from physical presence in the court, brought out the need for an administrative office that was adequate to maintain the household point of view. The ancient chamber, more than half superseded by the exchequer, was inadequate for this purpose. It was too old-fashioned and stiff. It was too much out of relation to the modern revenue and administrative system. It had in particular no direct relations with the exchequer. It did not account to it; it was not responsible to it; and it did not, so far as we know, receive supplies from it. Its operations were shrouded in a secrecy which neither official nor magnate could penetrate. It is not likely to have been popular with the official class. It is even less likely to have been well liked by the magnates. Besides all this, its financial basis was apparently so narrow that it was of limited use to the king.

[1] For this subject see P. Fabre, *Étude sur le Liber Censuum de l'Église Romaine* (1892), and *Liber Censuum de l'Église Romaine*, ed. P. Fabre and L. Duchesne (1910), both in École française de Rome. The *Liber Censuum* was compiled under Cencius' direction by William Rufio of Saint-Jean-d'Angély, in Saintonge, "clericus camere et cancellarie domini pape scriptor." There was, therefore, under Innocent III. the same close association between the papal chamber and chancery which we noted as existing between the corresponding English institutions under Henry II.; see above, pp. 160-163.

The wardrobe, on the other hand, was from the very beginning of our knowledge of it financed by a direct system of exchequer grants. It had therefore an indefinitely expansible income in times of extraordinary expenditure, and its revenue could be spent at the discretion of the crown and its personal advisers. Such quickly recurring crises as the siege of Bedford, the war of Kerry, the expeditions to Poitou, and the other military exploits of the period, were found to be most easily financed through the new wardrobe machinery. Moreover, that machinery was new and elastic. In quiet times its sphere could be contracted, as easily as it could be expanded. Its accountability to the exchequer was never questioned, and it was, one may imagine, well approved of by both the official and the feudal classes as well as very useful to the king. Anyhow, it fitted in better with the up-to-date administrative system. Its adaptability was not only in finance. It extended to every branch of administration. It could be particularly well seen when, for instance, it found room for the literate knight who could take his share with the clerks in secretarial control and give to the machine a direct coercive and judicial force that a mere *camera clericorum* found it hard to exercise. Accordingly, in the co-operation of the stewards with the clerk in wardrobe work, we see a fresh reason why these lay household officers began to loom larger in the records than the chamberlains, why, in other words, the wardrobe took a more prominent place in history than the chamber. This is well illustrated by the silent transference that brought the king's privy seal out of the custody of the chamber and handed it over to the care of the wardrobe. The very chancery itself was, at several stages under Henry III., tending towards intimate relations with it, if not to subjection under it, just as the chancery had become entangled with the chamber in the latter part of the twelfth century. Once more the course of administrative development is conditioned by the common interests that both royal officials and territorial magnates had in the improvement of a machine which both classes alike hoped to have their part in controlling.

APPENDIX TO CHAPTER V

The Earliest Surviving Wardrobe Account

The Accounts of Walter of Kirkham and Walter of Brackley
January 5, 1224–*April* 10, 1227

Dorso: compotus de warderoba regis de tribus partibus anni viij[i] regis. Et de toto anno ix° et toto anno x° et dimidio anno xj°. [*L.T.R. For. Acc. John-Hen. III.* m. 4.]

DE ANNO OCTAUO SCILICIT TRIBUS PARTIBUS

Compotus Walteri de Kirkeham et Walteri de Brackley de receptis eorum a die Veneris proxima post circumcisionem Domini, anno regis Henrici tertii viij°, usque ad festum apostolorum Simonis et Jude, anno eiusdem ix°,[1] per visum[2] et testimonium Luce capellani, decani Sancti Martini, Londoniis, coram baronibus de scaccario.

Iidem reddunt compotum de m.m.m.m et dc et xxiij li. et vj s. et viij d. receptis de thesauro regis per manum Wilhelmi de Castellis et camerariorum per predictum tempus. Et de xxv li. et xix s. et viij d. et ob. receptis de Petro de Oriuallis. Et de vj li. et j marca de tallagio ville Bathonensis receptis de hominibus eiusdem ville. Et de viij li. et vj s. et viij d. receptis de episcopo Bathonensi pro v tunellis vini quos recepit de cellario regis de Bristollo. Et de x marcis de denariis comitis Marchie inuentis apud Suhanton per manum Willelmi Hardelli. Et de c et xxxvj li. de denariis eiusdem comitis ibidem inuentis per manum Clarmunde uxoris Bruni. Et de vij li. et ij s. et v d. de cablicio[3] balliue Michelis de Columbariis. Et de l li. de Walerando Teutonico de ferma stammarie[4] Cornubie. Et de x li. de Henrico de Cornhill,

[1] *I.e.* January 5–October 27, 1224.

[2] "Per visum" is accidentally repeated in MS.

[3] "Cablicium" or "cablicia" (more usual), *i.e.* the profits of the right of collecting branches or trees blown down by wind ("bois chablis").

[4] "Stannarie." "Stamaria" is the form in Hall, *Receipt Roll*, 1185, p. 7.

cancellario Sancti Pauli Londoniis. Et de l marcis de Johanne de Birkine de fine pro baronia Matilte de Calceto. Et de xl marcis de Johanne episcopo Elyense quas mutuo accepit de thesauro. Et de v marcis de Johanne de Chaumaud pro licencia negociandi in Anglia. Et de quater xx et iiij li. de denariis Willelmi Martelli per priorem Sancti Neoti. Et de xl s. de denariis eiusdem Willelmi per manum Thome Lerki de Norhanton. Et de xxj li. de denariis eiusdem Willelmi per manum prioris Sancti Andree Norhanton. Et de x marcis de fine abbatis Sancti Edmundi de misericordia ipsius pro ecclesia de Scaldewell. Et de xl s. de denariis Willelmi Crassi per manum prioris de Caldewell. Et de iij li. de denariis Willelmi de Cadamo per manum eiusdem prioris. Et de xx marcis de comitissa Oxonie de scutagio de Montegumerii. Et de v s. et v d. et ob. de denariis Petri le Burgoinnein[1] per manum Fulconis, aurifabri de Bedeford. Et de xl s. de priore de Liffeld quos debuit Falcasio de Breaute pro blado. Et de vij li. et xiij s. et vj d. de denariis Willelmi de Breaute receptis per eundem priorem. Et de xxv li. et iiij s. et xj d. et ob. de denariis eiusdem Willelmi inuentis in castro Bedefordensi. Et de lxvij li. et ij s. de catallis Falkisii venditis per vicecomitem Bukinghamie. Et de xliij li. v s. et x d. de denariis eiusdem Falkasii per manum Radulfi de Trubleuilla. Et de v marcis de catallis eiusdem Falkasii venditis per manum Ricardi de Argentoin, vicecomitis Herefordie. Et de xv li. et ij s. et vj d. de catallis eiusdem venditis per episcopum Bathonensem. Et de c et xij s. et x d. de denariis inuentis in castro Bedefordie per Henricum de Trubleuilla. Et de xiij li. et xj s. et j d. de catallis predicti Falcasii venditis per vicecomitem Cantebrigie. Et de dc et quater xx et xviij li. et xvij s. de catallis eiusdem per manum S., capellani de Templo. Et de x li. de Roberto Marmiun de fine uxoris sue. Et de quater xx li. de Simone de Hale de exitibus comitatus Eboracencis. Et de cc li. de magistro militie Templi de mutuo. Et de cc li. de priore hospicii Jerusalemmensis de mutuo. Et de viij li. de priore Elyense de veteri carrucagio. Et de vij li. et vj s. et viij d. de catallis Radulfi Tirilli per manum Rogeri de Acastro. Et de viij s. de catallis eiusdem Radulfi per vicecomitem Cantebrigie. Et de iiij s. et vj d. de catallis Johannis monachi. Et de iiij li. et vj s. et vj d. de Willelmo de Hauerhill et Willelmo Talliatore de remanenti denariorum receptorum de scaccario. Et de xxxij s. et v d. et ob. de Johanne de Cunde de remanenti expensarum suarum. Et de xviij li. et v s. et vj d. de firma de Cungresbirio et Axebrigia per episcopum Bathonensem. Et de x li. de magistro Stephano de Luci de remanenti denariorum mutuo acceptorum in curia romana. Et de xvj li. et j marca de Godefrido de Crawecumb de eodem mutuo.

[1] Bourguignon.

Et de c et ij s. de Galfrido de Luci de remanenti compoti sui de cc li. quas recepit de garderoba.

Summa: vj mill. et d et quater xx et vij li. et xvj s. et viij d.

Iidem reddunt compotum de mill. et lxvj li. et vj s. et ij d. de carrucagio dominicorum et feodorum Cantuariensis et Eboracensis archiepiscoporum et Lincolniensis et Elyensis, Herefordiensis, Cycestrensis, Wigorniensis, Saresbiriensis, Dunolmensis, Norwiciensis, Carliolensis episcoporum. Et de ccc et x li. xix s. et x d. et ob. de carrucagio dominicorum et feodorum abbatis de Sancto Edmundo et de Maumesbiro et de Evesham et Sancti Augustini Cantuarie, et Sancti Albani et de Westmonasterio et de Bello et de Fiscamo abbatum, et de magistro ordinis de Sempingeham et de Lewes priore. Et de quater xx et xix li. et j marca de finibus plurium qui finem fecerunt pro militibus et seruientibus pro exercitu de Bedeford quorum nomina annexantur in rotulo de garderoba quem predicti liberauerunt in thesauro.

Summa: m.m et cccc et lxxvj li. et xix s. et iiij d. et ob.

Summa summarum: ix mill. et lxiiij li. et xvj s. et ob. In thesauro nichil.

Et in necessariis expensis in hospicio regis per suprascriptum tempus m et dc et quater xx et xij li. et viij s. et iij ob., sicut continetur per partes in rotulo de garderoba, quem ipsi liberauerunt in thesauro. Et in necessariis expensis in garderoba regis per predictum tempus m.m.m.m et cccc et xvj li. et xix s. et viij d., sicut continetur ibidem per partes. Et in necessariis expensis et stipendiis militum, seruientium, ingeniatorum, et aliorum operariorum petrariarum et mangonellorum et aliorum necessariorum, in obsidione castri de Bedeford m et ccc et xj li. et xviij s. et ij d., sicut continetur ibidem per partes. Et debent m et dc et xliij li. et x s. et j d., sicut respondebunt infra.

Summa expensarum suprascriptarum: septies mill. ccccxxj li. v s. xj d. et ob.

Annus nonus

Iidem reddunt compotum de vj mill. et dcccc[1] liiij li. et xvj s. de pluribus receptis de thesauro regis contentis in rotulo de garderoba quem predicti liberauerunt in thesauro de anno regis ix° per manum Willelmi de Castellis et camerariorum. Et de cc li. receptis de R[icardo] episcopo Saresbiriensi de recepta sua de quintadecima. Et de m marcis receptis mutuo de Petro Wintonensi episcopo, quando Ricardus frater regis transfretauit in Wasconiam. Et de cccc marcis receptis de J[ocelino] Bathonensi episcopo de mutuo. Et de liiij li. receptis de R[adulfo] episcopo Cycestrensi,

[1] "dcccc" looks erased, but it is certain that it is not.

cancellario regis, de quintadecima ipsius. Et de ccc li. receptis de predictis episcopis Saresbirieñsi et Bathonensi. Et de ccc li. receptis apud Nouum Templum Londoniis de episcopo Bathonensi de quintadecima regis. Et de ccc li. item receptis de predictis episcopis Saresbiriensi et Bathonensi. Et de c et quater xx et x li. receptis de Henrico de Sancto Albano de cambio Londonie. Et de d et lxx li. et xix s. et iiij d. de pluribus aliis receptis contentis in rotulo predicto.

Summa: viij mill. dccc et iij li. et ij s. In thesauro nichil.

Et in necessariis expensis in hospicio regis per totum annum nonum m.m et ccc et lxxiij li. et xvij s. et v d., sicut continetur per partes in rotulo predicto. Et in necessariis expensis in garderoba regis per predictum tempus m et dccc et liij li. et xix s. et v d., sicut continetur per partes ibidem. Et in feodis militum annuis feoffatorum, quamdiu regi placuerit, et in donis regis et liberationibus seruientium ad arma, m et quater xx et v li. et xvj d. et ob., sicut continetur per partes ibidem. Et in necessariis expensis Ricardi fratris regis a vigilio purificationis beate Marie, quando factus fuit miles, et parte emptionis robarum eiusdem et necessariorum utensilium in domo sua, usque ad dominicam primam post festum Sancti Gregorii, cc et xlix li. et vij s., sicut continetur ibidem. Et eidem Ricardo in denariis ad portandum secum, quando primo transfretauit in Wasconiam, m.m et dc marcas, sicut continetur ibidem. Et in liberationibus militum, tunc cum eo transfretantium, et in denariis datis eisdem ad equos et arma emenda, et aliis donis eisdem datis, m et cccc et lvij li. et xv s., sicut continetur per partes ibidem. Et in liberationibus et donis seruientium et balistariorum cum eo transfretantium, c et viij li. et dimidiam marcam, sicut continetur ibidem per partes. Et in liberationibus et donis marinellorum cum eo transfretantium, et in munitione et schippatione nauium et galiarum et reparatione earundem, cc et xiiij li. ij s. et vj d., sicut continetur ibidem per partes. Et in parte emptionis robarum et penularum et linee tele et cendallorum et jocalium, emptorum et missorum in Wasconiam cum predicto Ricardo, preter ea que habuit de garderoba regis, et emptione sellarum ad dextrarios et palefridos et summarios, et aliorum minutorum harnasiorum, cc et xxviij li. et xvj s. et ix d. et ob., sicut continetur per partes ibidem. Et in reparatione magne nauis et aliarum nauium, et emptione armamentorum ad easdem naues, et in liberationibus et donis militum, seruientium et marinellorum transfretantium, et omnia predicta portantium in Wasconiam, d et lxxiiij li. xv s. et iiij d., sicut continetur per partes ibidem.

Summa expensarum predictarum: nouies mill. et dcccc et lxxiv li. et viij s. et ij d. Et habet de superplusagio m et c et lxxvj li. et vj s. et ij d., quod totum locatur eis infra.

ANNUS DECIMUS

Iidem reddunt compotum de m.m.m et d et quater xx et xvj li. de pluribus receptis de thesauro regis in anno x^mo^ regis per manum Willelmi de Castellis et camerariorum, sicut continetur per partes in rotulo quem liberauerunt in thesauro. Et de m et dc et xx li. receptis apud Nouum Templum Londoniis de quintadecima regis. Et de cccc li. receptis de Thoma de Blumvill de quintadecima. Et de ccc li. receptis apud Wintoniam per manum episcopi Saresbiriensis de quintadecima. Et de cc et quater xx et xix li. receptis de exitibus episcopatus Dunholmensis per manum Willelmi le Tornour. Et item de c li. de exitibus eiusdem episcopatus per manum Roberti de Cokefeld. Et de c li. apud Mereburgh receptis de episcopo Saresbiriensi de quintadecima. Et de cl li. receptis de episcopo Bathonensi apud Clarendon. Et de c et xxj li. et ij s. et x d. de pluribus receptis contentis in rotulo predicto.

Summa: sexies mill. et dc et quater xx et vj li. ij s. et x d. In thesauro nichil.

Et in necessariis expensis in hospicio regis per predictum tempus, scilicet totum annum decimum, m.m et cccc et lxxviij li. xij s. et iij d. et ob., sicut continetur per partes in rotulo predicto. Et in necessariis expensis in warderoba regis per predictum tempus m.m et c et xlv li. et xvj s. et ij d., sicut continetur ibidem per partes. Et Poncio Grimward et Galfrido de Calrade, mercatoribus Prouinsensibus ad opus R[aimondi] comitis Tolosane, cognati regis, m.m et d. marcas de dono regis. Et in (liberatione [1]) feodis militum annuis feoffatorum, quamdiu regi placuerit, et in donis datis militibus et liberationibus seruientium ad arma, dc et xxxj li. et xv s. et x d. et ob., sicut continetur ibidem per partes.

Summa: setties mill. et dcccc et xxij li. et xvij s. et viij d.

Et habet de superplusagio cc et xxxvj li. xiiij s. et x d., quod totum locatur eis infra.

ANNUS DIMIDIUS UNDECIMUS

Iidem reddunt compotum de m et dcccc li. receptis de thesauro regis per Willelmum de Castellis et camerarios, a festo apostolorum Simonis et Jude, anni xi^mi^, usque ad vigiliam pasche,[2] anni eiusdem, sicut continetur per partes in rotulo de garderoba regis quem ipsi liberauerant in thesauro. Et de c et lxv li. et dim. marca de pluribus receptis contentis in rotulo predicto per partes.

Summa: m.m lxv li. et dimidia marca. In thesauro nichil.

[1] "liberatione" is here erased.
[2] *I.e.* October 28, 1226, to April 10, 1227.

Et in necessariis expensis in hospicio regis per predictum tempus, mcxxviij li. xiij s. et x d., sicut continetur ibidem per partes. Et in necessariis expensis in warderoba regis per predictum tempus, cccc et quater xx li. xiiij s. et x d., sicut continetur per partes ibidem. Et in donis et liberationibus militum et seruientium ad arma per predictum tempus, ccc et quater xx et iiij li. et iiij s. et ix d. et ob., sicut continetur ibidem per partes. Summa : m et dcccc et quater xx et xiij li. et xiij s. et v d. et ob.

Et debent lxxj li. xiij s. et ij d. et ob., sicut respondebunt infra.

Iidem reddunt compotum de m et dc et xiiij li. x s. et j d. de remanenti compoti sui de anno regis viij° supra contento. Et de lxxj li. et xiij s. et ij d. ob. de remanenti compoti sui de dimidio anno regis xi° supra contento. In thesauro nichil. Et in superplusagio, quod habent supra in compoto suo in anno ix° regis, m et c et lxxvj li. et vj s. et ij d. Et in superplusagio, quod habent supra in compoto suo in anno regis x°, cc et xxxvj li. et xiij s. et x d.

Et debent ccc et ij li. et ij s. et iij d. et ob. Iidem reddunt compotum de eodem debito. In thesauro l marce. Et Huberto de Burgo, comiti Kancie, xlv li. ex una parte, et xj marce ex alia, quas mutuo recepit de warderoba regis, et quas rex perdonauit eidem comiti per breue regis. Et in perdonis Henrico de Bernevall, capellano regis, j marca de prestito ei facto in warderoba regis per breue regis. Et Willelmo de Estutevilla c s. de eodem prestito per idem breue; et Baldeweno de Vere v marce de eodem prestito per idem breue. Et Luce, Dublinensi archiepiscopo, c marce de prestito eodem per idem breue, quas postea reddidit in eadem warderoba, tempore Rannulfi Britonis, per manum Radulfi de Norwico et Georgii Desaffublee. Et de c et xxj li. viij s. et xj d. et ob.; de quibus c et xxj li. vij s. et vj d. liberauerunt Waltero de Euermue et aliis pluribus, contentis in rotulo quem iidem liberauerunt H[ugoni] thesaurario, xxiij die januarii anno etc. xix°,[1] de prestito eis facto in warderoba regis. Et debent xvij d. et ob.

[1] = January 23, 1235.

CHAPTER VI

THE PERSONAL GOVERNMENT OF HENRY III.
1234–1272

SECTION I

Introductory

If any decided break can be discerned in the long process of the evolution of the household system of government under Henry III., that break can best be found in the collapse of Poitevin domination in 1234. Various reasons can be assigned for us drawing our dividing line at this date. To begin with, the strongest personal elements, which up to now had been determining the course of wardrobe history, were changed. Peter des Roches' political career came to an abrupt end with his disgrace. It is true that his fall was made as easy as possible. Not only was he permitted to retire unmolested to the government of his great diocese; he was also allowed to cover Peter of Rivaux with the aegis of his protection. Released after a brief imprisonment out of respect for his clergy, the younger Peter took sanctuary in his kinsman's cathedral and soon found that he had no reason to fear the hard lot that generally befell a disgraced favourite. Unsupported henceforth by the bishop, it was clear that he was not strong enough to provoke active hostility. Within two years he was restored to some measure of court favour and office. Nevertheless for over twenty years his personal influence was so limited as to be absolutely indiscernible, either in the records or in the complaints of hostile chroniclers. Bishop Peter was, however, impatient of inaction and, despite advancing years, obtained permission in 1235 to put his military experience to the service of Gregory IX. in his war against the

Romans. In 1236 he returned to England from this quasi-crusade in broken health. He died in 1238, and with him disappeared the last of the dominant influences which had moulded the early policy of Henry III.

Up to the fall of the Poitevins the personality of the young king had counted for nothing in English politics. When Henry tardily attained complete emancipation, he vacillated first to one side and then to the other, easily throwing over his sometime friends in an ecstasy of fear or repentance. Now, however, Henry III. had worked out a policy of his own. For a quarter of a century he strove to give effect to it with the obstinate persistence which is often to be found in a certain type of weak character. Accordingly, after 1234, we have to reckon with the personality of the king.

There are other wider reasons for regarding the period at which we have arrived as marking a new departure. Up to the last desperate experiments of the Poitevins in revolution and reaction, the household system was still in the making. The general course of its development had become discernible, but there was always the chance of its being deflected by experimental reconstructions, such as those of 1232. With the Poitevins' failure the age of rash experiment passed away. Henceforth we have to pursue the history of the household offices under conditions that have already been determined. The permanent lines of wardrobe, chamber, and privy seal have been already laid down. The many important new developments, which we shall soon have to consider, were but the further working out of ideas already accepted. Changes arose as increasing responsibilities and increasing pressure of business necessitated further differentiation of the various household offices.

Another consideration must not altogether be lost sight of. In the crisis of 1234 I have emphasised, perhaps more strongly than the evidence allowed, a conflict of the opposing principles of government through the household and of aristocratic control exercised by accredited baronial ministers. In abandoning the Poitevins, Henry III. in no wise gave up the policy of making his household the centre of his administration of the state. As he grew more sure of himself, his policy clothed itself

in subtler and more dangerous forms. Household control through English-born officials was less offensive to the barons than when exercised by aliens. In a very few years Henry's determination to uphold and strengthen the household system became manifest. More than this, the king showed a marked disposition to bring those offices of state, which were escaping from household control, back into the same position as that of the wardrobe and chamber. His policy was, in short, that of the Norman kings; it was to rule the realm through his domestic officers. Moreover, Henry was fearful of the baronial element that hereditary sergeanties had established in every department of the household. Hence his anxiety to reduce his chancellors and treasurers to a humbler position than that of their baronial predecessors, and make them personally dependent on himself. With this object he kept the barons at arm's length and gave his confidence to kinsfolk, clerical adventurers, upstarts and aliens. As a result, foreign control was soon brought back again, and with such strength that it resisted the baronial opposition for half a generation. At last in the barons' wars the aristocratic opposition once more triumphed. From this time onwards there is abundant evidence of the clash of conflicting policies, the rumour of which we have heard in 1234. By that time there is clear indication of the interaction of the household and the "political" offices on each other, and definite evidence of the policy of the crown and the baronage in relation to them.

Let us now indicate the chief periods in the history of household organisation between the fall of the Poitevins and the death of Henry III. The first period in the history of the wardrobe ranged from 1234 to 1240 and was coloured by the result of the baronial victory in the former year. It was a time of English control of the royal household and of moderation, economy and prudent counsels, as far as court administration was concerned. This was the more remarkable since it was the period of the king's marriage, and of the settlement in England of the queen's Savoyard and Provençal kinsfolk and followers. It was only gradually, however, that this alien invasion penetrated to the offices of the court. By 1240, however, we are brought back to conditions not dissimilar to, though less scandalous than, the state of things in the days of the power of Peter des Roches. Accord-

ingly, from 1240 to 1258 we have a second period of almost unbroken foreign control of the wardrobe, a *régime* calamitous and unpopular which culminated in the great catastrophe of 1258. Yet these years were not all marked by retrogression. The alien household functionaries between 1240 and 1258 did little to undo the practical reforms initiated by the English ministers between 1234 and 1240. On the contrary, they developed their offices and brought in fresh improvements of their own. The household machine, which thus arose, became an efficient instrument, a too efficient instrument from the baronial point of view. The developments of these years included the organisation of the queen's wardrobe and, as the royal children grew up, the wardrobes of the king's sons. The period saw also the beginnings of a special branch of the wardrobe known before long as the great wardrobe. It was, moreover, the time of the systematisation of the privy seal as a permanent part of the machine of state.

In 1258 the baronial opposition obtained their great triumph in the Provisions of Oxford. This resulted in the permanent elimination of the alien element from the wardrobe, an attempt at the reform of the royal household, and the temporary subjection of the court offices to a large measure of baronial control. But the victorious barons were no radical reformers. They were content when they got the machine into their own hands, and they took no serious measures to alter it. This was their attitude, not only to the wardrobe and the chamber, but also to the chancery and the exchequer. Accordingly, administrative development goes on between 1258 and 1265 on very much the same lines as those which it had pursued when Henry III. and his personal followers had everything their own way. The barons accepted what they found, and even contributed something towards the improvement of the offices through which they acted. Accordingly the political crises, which afford natural breaks in our study, do not in themselves alter the general course of administrative history. At any rate it is certain that the barons had not an administrative policy of their own. If they aspired to control the king's government, that control was exercised by the machine erected by the king and his followers. Some results there were from the baronial control of the house-

hold offices between 1258 and 1265, and these results were enough to make this period another break in our narrative. The same negative conclusions followed from the restoration of the royal power as had followed the triumph of the barons. Partly from prudence, but more largely because it saw no reason for change, the restored monarchy accepted such reforms as the barons had brought about. The worst abuses of the period before 1258 were not repeated. Between 1265 and 1272 the wardrobe of Henry III. was less foreign, more efficient and less extravagant than the wardrobe of the dark days of 1232 to 1234 and 1240 to 1258. Consequently our last section, dealing with these years, seems but a continuation of the section treating of administrative history in the barons' wars. Let us now work through these various periods in detail.

SECTION II

The Wardrobe in English Hands, 1234–1240

The strength of the reaction against the foreigners brought about six years of mainly English control of the wardrobe and chamber. Accountability was a natural consequence of constitutional policy, and just as it was no accident that Peter of Rivaux presented no wardrobe accounts to the exchequer, so it was not altogether the result of chance that for these years of baronial control of royal policy there survive continuous wardrobe accounts. The extant wardrobe accounts between May 17, 1234, and February 3, 1240, though defective in minuter details, afford us adequate materials for studying both the *personnel* and the operations of the wardrobe for nearly six consecutive years.[1] For the whole of this period a single clerk at a time was, like Peter of Rivaux, responsible for the wardrobe accounts. The first of these was Walter of Kirkham, of whose earlier period of joint responsibility we have already spoken, and who accounted for the wardrobe once more from May 17, 1234, to October 27, 1236. Humble in origin, small in stature, pious, mild, and liberal in character, Kirkham was one of the best of Henry III.'s courtier clerks, and able to preserve the good-will of his master without compromising himself with the foreigners.[2] His successor, brother Geoffrey of the Temple, was, like Kirkham, an English-

[1] They are to be found in *Pipe, 19 Hen. III.* m. 11, and *20 Hen. III.* No. 80, m. 2 d (Kirkham's accounts), and in *ib., 21 Hen. III.* No. 81, m. 13, and *23 Hen. III.* No. 83, m. 7 (brother Geoffrey's accounts).

[2] Kirkham became dean of York in 1241, and bishop of Durham in 1249, being forced on the king in rivalry to Henry's half-brother, Aymer of Valence. In 1258 he was on the side of the opposition. He died in 1260. He is described as "de mediocribus educatus, per totum regnum famosus, et maxime dapsilis, et mitis erga omnes comprobatus"; Wendover, ii. 454 (R.S.). Compare *Chron. de Lanercost.* p. 69, "vir mitis et mundus, corpore exiguus, sed mente liberalissimus ac pius, qui non dilexit saltus lustrari sed psalmos." The chronicler goes on to tell how Kirkham compelled a recalcitrant baron of his diocese to assign by way of amends a sum of money for the perpetual support of Oxford scholars. It seems pretty clear that this baron was John Balliol, and Kirkham may, therefore, be regarded as having given the original impulse for the foundation of Balliol College, Oxford. The practical reforms in the government during his period of office may be illustrated by Matthew Paris's

man born, but regarded with hatred and suspicion by patriots like Matthew Paris, by reason of his greediness and close association with the foreign favourites.[1] A knight of the mighty order of the Temple, Geoffrey had been since 1231 or 1232 the king's almoner,[2] and his elevation to the office of domestic treasurer was doubtless largely due to the important part played by his house as royal bankers and financiers, though partly also to the personal devotion of Henry to his almoner and to the society of which he was a member.[3] Though care was taken not to make the order of the Temple corporately responsible for Geoffrey's accounts,[4] his administration of the household finances, which ranged from October 28, 1236, to February 3, 1240, represents the period in which English financial conditions most resembled those normal in thirteenth-century France, where the Temple at Paris was, for the best part of a century, the central treasury of the French monarchy, and the knights of the Temple the most

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story (*C.M.* iii. 363) of the reform of the sheriffs on April 28, 1236. This would be primarily the responsibility of Hugh Pateshull, then treasurer of the exchequer. Yet, being the personal act of the king, it may not be quite outside Kirkham's interests. It would be worth while verifying the truth of Matthew's statements as to the changes in the sheriffs by a meticulous examination of the *personnel* of the sheriffs, before and after that date.

[1] In Mat. Par. *C.M.* iii. 412, Matthew enumerates brother Geoffrey among the "consiliarios . . . infames et suspectos . . . quos iccirco magis habebant nobiles Anglie exosos, quia de regno ipso duxerunt originem"; *ib.* iii. 629, shows that the chronicler was not quite fair to Geoffrey, or at least that there was a limit to Geoffrey's subservience to the king, if not to his deference to the pope.

[2] He is first mentioned as "elemosinarius regis" on Feb. 16, 1232; *C.R.*, *1231–4*, p. 33. His predecessor, brother John, also apparently a Templar, and the son of William of Lewknor, was still king's almoner on Oct. 11, 1231; *ib.*, *1227–31*, p. 569.

[3] While Geoffrey was keeper, Henry, on Nov. 25, 1237, granted to the Templars the manor of Rothley, afterwards called Rothley Temple, Leicestershire, and announced his intention of being buried in the Temple Church; *ib.*, *1237–42*, p. 6. Already in 1214 the chamber (*Rot. Lit. Claus.* i. 141) and in Feb. 1225 (*P.R.*, *1216–25*, pp. 505-6, 508) the wardrobe had been temporarily stationed at the New Temple.

[4] *C.P.R.*, *1232–47*, p. 161; grant of Oct. 24, 1236, to Robert, master of the Temple in England, that the order shall not be bound to answer the king in "anything except reasonable . . . (blank in manuscript) touching Geoffrey's custody of the king's wardrobe." After Geoffrey's withdrawal from office the New Temple continued to be a "treasury," or place of deposit of wardrobe treasures. See, for instance, *C.R.*, *1237–42*, p. 414, where the chief wardrobe clerks are sent to the Temple, "ad videndum thesaurum nostrum quod penes vos est depositum." See above, p. 97, for the Temple as an exchequer treasury in 1185.

prominent financial agents of the crown.[1] But, both before and after this period, the New Temple was constantly the place of deposit of royal treasure on which orders for payment could be made by the crown to the officers of the society. And though at times the Temple was a place of deposit for the exchequer, it seems to have been most constantly used as a depository for the receipts of the wardrobe.[2] Indeed the "treasury of our wardrobe in the New Temple" anticipates in the reign of Henry III. the "wardrobe treasuries" which, as we shall see, became a feature of the organisation of that office under Edward I.

The monarchical position, which followed on the sole responsibility for the custody and the accounts of the wardrobe, assigned to Walter and Geoffrey in succession, makes their official title of some importance. They were already indifferently described as keepers or treasurers of the wardrobe, though the tenacious conservatism of official tradition still simply described the official head of the wardrobe as its clerk. So vague a designation, however, failed to distinguish him from his numerous subordinate clerks. By this time one of these inferior clerks had already attained a position of such importance that his name was constantly joined with that of the keeper in official acts. Thus in Kirkham's days liveries of money were sometimes made to "Walter of Kirkham and William of Haverhill, king's clerks of his wardrobe."[3] This formula is exactly the same as that used in the days when Walter of Brackley and Ranulf le Breton were successively associated with Walter of Kirkham several years earlier. There was, however, a clear distinction

[1] The close relation of the Templars to French national finance was first explained at length in L. Delisle's *Mémoire sur les opérations financières des Templiers*, in *Mémoires de l'Académie des Inscriptions*, t. xxxiii. 2me partie, pp. 1-248 (1889). For other references to the literature on the subject see Viollet, ii. 125. M. Viollet remarks, "Cependant, je cherche, à la fin du xii^me^ siècle et au xiii^me^, le Trésor du roi. Je ne le trouve, ni sous la garde du chambrier, ni sous la garde du chambellan. . . . C'est au Temple, à Paris, que sous les règnes de Philippe Auguste, de Louis IX, de Philippe le Hardi, le Trésor du roi est déposé, et c'est un frère du Temple qui est chargé du service de la Trésorerie : il est comme le caissier du Trésor." My pupil, Miss Agnes Sandys, has worked out in her M.A. thesis the part played by the Templars in English history.

[2] Miss Sandys has collected some interesting evidence under that head.

[3] For example, in *C.P.R., 1232–47*, pp. 146, 149 (both in 1236).

between the two. In the former case the phrase implied joint responsibility, while its later use in no wise suggested that Kirkham had not the sole headship in his charge. Moreover, William of Haverhill, or Haverhull, was now mentioned immediately after Kirkham, because he was the royal clerk by whose "view and testimony" both Kirkham's accounts were presented to the exchequer. This phrase is identical with the formula employed to describe the relation of Luke the chaplain to Kirkham's earliest account. There is this difference, however, that while Luke was demonstrably Kirkham's official superior, Haverhill was, if not precisely his subordinate, his inferior in status. He often acted independently of his chief, a whole series of writs of *liberate* being addressed to him, apart from those of which brother Geoffrey was the recipient.[1] In this relation Haverhill was among the founders of the great wardrobe. Here we have only to record that he was himself the second in importance at this time among the wardrobe clerks. It is easy to see that he was, in fact if not in name, the first holder of the office afterwards described as the controllership of the wardrobe. In the next generation we shall see that the controller of the wardrobe was the second of the wardrobe clerks in order of dignity. He derived his name from his special function of presenting to the exchequer at the annual audit a counter-roll, which acted as a check on the official roll tendered by the head of the wardrobe in person.[2] This office developed even more slowly than did that of the custody of the wardrobe. For the nineteen years following Kirkham's last account, all extant wardrobe accounts

[1] See *C. Lib. R. H. III.* i. *passim.* Compare the chapter in a later volume on the great wardrobe.

[2] Perhaps the system of control was suggested by the duplicates of the pipe rolls of the exchequer contained in the chancellors' rolls. It was adopted in many other official records of finance, for instance, the chamberlain's accounts of Wales and Chester, though the controllers here were the justices, the superior officers, after the earlier wardrobe fashion which made the treasurer of the chamber controller of the wardrobe. The wardrobe counter-rolls should of course have been absolute duplicates of the rolls of the keeper, or, as he was often called, the treasurer of the wardrobe. In later periods both roll and counter-roll are often surviving. As an example we may refer to the treasurer's roll for 28 Ed. I. presented by the treasurer, John Droxford, or Drokensford, and now in the British Museum as *Add. MS.* 35,291. This corresponds to the counter-roll of John Benstead, controller for the same year, now in the possession of the Society of Antiquaries, and printed, as we have seen, for them in 1787. See above, Chapter II. p. 48.

to the exchequer were similarly tendered by "the view and testimony" of another wardrobe clerk. What is implied by this is suggested in the statement that keeper Guy of Lapalud's accounts of the wardrobe of queen Eleanor of Provence were rendered in 1243 "by the testimony and counter-roll of William of Bradley, who was appointed in the said wardrobe to keep his roll in witness against him" from May 6, 1242.[1] It is not, however, until twelve years later that any surviving accounts of the king's wardrobe are attested with similar fulness. These are the accounts of Artaud of Saint-Romain for the years 1255–7, which were presented "by the view and testimony of John of Sutton in the place of Aubrey of Fécamp, who had the counter-roll."[2] The name controller first appears in the early days of Edward I.[3] It is, however, quite clear that substantially the office can be traced back to William of Haverhill. Some small difficulties as to the exact line of his successors must be reserved until we have carried the story a little later. For the moment we may be content to note that Haverhill gave up his position in the wardrobe when Kirkham relinquished its custody. His connection with the household was prolonged by his being nominated, on December 28, 1236, king's chamberlain and buyer of wines in London and Sandwich.[4] In 1240 he became treasurer of the exchequer,[5] being, after Peter of Rivaux, the first wardrobe clerk to be thus transferred from the domestic to the national treasury, though he was very far from being the last. In succession to him in the wardrobe Thomas of Newark attested "by his view and testimony" the two wardrobe accounts of Geoffrey the Templar. He ceased to act in that capacity when his chief lost his office on February 3, 1240.

Little need be said about the finances of the wardrobe under Kirkham and Geoffrey. Its income was singularly uniform for

[1] *C.P.R., 1232–47*, p. 408.

[2] "Compotus Artaldi de Sancto Romano de garderoba regis per visum et testimonium Johannis de Sutton loco Alberici de Fiscampo qui habuit contrarotulum in eadem warderoba"; *Pipe, 39 Hen. III.* No. 99, m. 15 d

[3] The duties and office of the controller are described with some fulness in Edward I.'s *Household Ordinance* of 1279, see later, Appendix to Vol. II. Ch. VII.

[4] *C.P.R., 1232–47*, p. 172. He held this office from Jan. 21, 1237, to Feb. 15, 1238; *C. Lib. R. Hen. III.* i. 313, and later, until March 1240, *ib.* p. 457.

[5] Mat. Par. *C.M.* iv. 31. He remained in office till his death on Aug. 23, 1252; *ib.* v. 320, where his quaint epitaph is transcribed.

the whole of the six years, amounting to about £9000 per annum.[1] The proportion of wardrobe receipts, contributed directly from the exchequer, steadily declined all through this time, amounting to about seven-ninths of the whole for the first two years and to little more than one-fifth during the last two. Income and expenditure balanced fairly well, there being an overplus of receipts in two accounts, and of issues in the other two. Altogether, the period seems to have been one of moderation and economy in court expenses, and there was certainly no important military enterprise to swell the domestic budget. We may reckon among the causes of these satisfactory finances the fact that Kirkham and Geoffrey, unlike Peter of Rivaux, regularly and uncomplainingly tendered their accounts to the exchequer, and were with equal regularity declared quit of their responsibilities.[2] Nor must we wholly dissociate the keepers of these years from the important new developments of wardrobe activity which we must examine in the next section of this chapter. Yet the period of their office included the early years of the king's marriage, and of the establishment of the Savoyard and Pro-

[1] The exact figures upon which these rough calculations are based can be seen in *Pipe, 21 Hen. III.* No. 81, m. 13, *ib. 23 Hen. III.* No. 83, m. 7, and *28 Hen. III.* No. 88, m. 14. See also later in Appendix to Vol. IV. It must be remembered that none of these annual statements of accounts can be regarded as safe indications of actual receipts and expenses. The carrying forward of balances, the system of prests and tallies, the complicated entries of loans and repayments all militate against this. At the best the accounts of a period vaguely represent the "turnover," see later, Vol. II. Ch. VII. A comparison of the figures of the accounts with the liberate rolls for the corresponding years suggests some further grounds of disquietude as to the value of official figures to us. For *21 Hen. III.* the chancery authorised the livery of £4254 : 13 : 4 to the wardrobe, not including "allocate" orders. But the wardrobe receipt from the exchequer for precisely the same period is only £3966 : 13 : 4. For *22 Hen. III.* the liberate figures are £2833 : 6 : 8, for *23 Hen. III.* £4400, of which £4000 was in one writ for Christmas expenses, and for *24 Hen. III.* there is only one writ of liberate of £600; *C. Lib. R.* i. p. 480. The noble scale of Christmas housekeeping at court is further indicated by the 2258 hens, provided for court consumption by the keepers of the bishopric of Winchester in 1439, *ib.* p. 446. Writs of computate remain numerous, suggesting that the exchequer's dealings with the wardrobe had now become largely a matter of book-keeping.

[2] For Kirkham's discharge see *C.P.R., 1232–47*, p. 167. It is dated Nov. 12, 1236, within a few weeks of his relinquishing office. So meticulous was Kirkham in accounting that he seems now to have sent in the earlier account for the years 1224–27 to which we have already referred. This seems a plain deduction from an entry at the end of it referring to a roll delivered to Hugh (Pateshull) the treasurer on Jan. 23, 1235. See above, p. 238.

vençal kinsfolk of queen Eleanor in the country. It is clear, however, from the above figures that the greediness of the aliens, as to which Matthew Paris is so eloquent, found its sources of satisfaction elsewhere than in the king's wardrobe.

The slowness with which the queen's foreign kinsfolk and their dependents claimed their share in the government of the royal household may have been partly the result of prudence. It was also in some measure due to the increasing complaisance of the English clerks of the wardrobe. The chief blame for this may well be assigned to brother Geoffrey. With all his merits the knight of the Temple was neither a popular nor an enlightened administrator. He was reproached with too great devotion to the Roman *curia*, and too much subserviency to the king's foreign friends. Accordingly, if we may believe Matthew Paris, he became an instrument through which the king relieved the baronial chancellor of the custody of the great seal, though allowing him to retain the emoluments of his office. In 1238 Henry violently took away the seal from Ralph Neville and transferred it to brother Geoffrey and the steward John of Lexinton.[1] If this were, as seems likely, more than the usual temporary deposit of the seal in the wardrobe, it suggests a policy, more clearly carried out a few years later, of setting up the wardrobe against the chancery, to which we shall soon have other occasion to refer. Geoffrey seems also to have been a bitter persecutor of the Jews, from whom on one occasion he is said to have extorted a third part of their substance.[2] For all that, Geoffrey deserves great praise for applying the sound business traditions of his order to the management of household finance, at a time when the king's eagerness to provide for his wife's kinsfolk must have rendered it increasingly difficult to make income balance expenditure. He soon proved himself too stiff to yield to the growing importunity of the foreign courtiers, and was sacrificed by the king with the same levity

[1] Mat. Par. *C.M.* iii. 495.

[2] *Ib.* iii. 543. The Templars' hostility to the Jews was not only based upon the attitude to the unbeliever natural to an order of crusading knights, but also on the commercial hostility of a society of bankers, interested in cosmopolitan finance, to a rival commercial community, whose command over capital and international relations made them the chief competitors of the Templars in this sphere.

which Henry had showed to Hubert de Burgh and Peter of Rivaux. At last the end came early in 1240, when Geoffrey joined with Simon the Norman, then keeper of the great seal, in resisting a proposal of the king to confer on the queen's uncle, Thomas of Savoy, count of Flanders, a toll of fourpence a sack on wool exported from England to Flanders.[1] On February 3, 1240, Geoffrey brought to an end his last wardrobe account, and henceforth disappeared from history.[2] Then the Savoyards and Poitevins took possession of the household offices.

[1] Mat. Par. *C.M.* iii. 629. No record evidence substantiates Matthew's rather startling statement of figures, which, therefore, must be taken for what it is worth. See later, p. 287.

[2] The last entries on the close rolls concerning Geoffrey are the orders to the exchequer for hearing and determining his account; *C.R.*, *1237–42*, pp. 162, 163, 165. On Jan. 24, 1240, the king allowed him to retain possession of the Kentish manor of Great Delce near Rochester, which a London Jew had pledged to him; *ib.* pp. 170-71. In Sept. 1241 the manor was in the king's hands *ib.* p. 333.

SECTION III

Further Extensions of the Wardrobe System

It would be well here to break off for a time from tracing the historical development of the king's wardrobe to call attention to certain new extensions of wardrobe activity which first become recognisable in the period which we have just surveyed. Two new departures specially call for notice. They are of considerable immediate and of still greater ultimate importance. To the first of these a passing allusion has already been made, when we recorded the establishment of a queen's wardrobe, after Henry III.'s marriage with Eleanor of Provence in 1236. The second was the beginnings of a separate department within the king's wardrobe which, in the next generation, produced the institution known as the great wardrobe. The former was a conscious new departure, inspired by the wish to give an adequate organisation to the establishment of the young queen. The latter was a gradual growth within the wardrobe itself, and was due to the ever-increasing magnitude of wardrobe transactions, and the need for a more complex organisation to meet it. Both new developments had the immediate effect of strengthening the household machinery which was at the disposal of the king and his personal friends. The queen's wardrobe was of great prospective importance because it was the earliest of a large number of what may be called subordinate wardrobes, set up in the interests of the king's wife and children and of other members of the royal family. Moreover, before long, every magnate, spiritual or secular, followed these examples by organising within his *familia* a wardrobe department which roughly followed the lines suggested by the royal wardrobes. The importance of what we may call by anticipation the great wardrobe was that it was the first step in the process which was constantly repeating itself in administrative history. This was the throwing off, from the main stock of the king's wardrobe, offshoots which, though originally dependent on it, gradually attained a separate existence of their own. Let us now examine the beginnings of

both of these movements. In each case we must, to avoid repetition, go somewhat beyond the chronological limits of the period with which we are now concerned.

When Henry married Eleanor, the establishment of the young queen included, for the first time in English history, a special queen's wardrobe, which was not merely a room where her robes and jewels could be stored, but an office with its clerks and servants, its records and accounts, and was apparently in all essentials a replica on a much smaller scale of the king's own wardrobe. Over the queen's wardrobe was placed an energetic and pushing king's clerk, John of Gaddesden, who had conducted in Provence the first inquiries which had resulted in the marriage.[1] At first the queen's wardrobe seems to have been rather a dependent branch of the king's wardrobe than a self-sufficing organisation. The first known account of Gaddesden, from January 28, 1236, to September 12, 1237, was tendered on September 15, 1237, to the chancellor, the keeper of the wardrobe, the king's steward, and some other officers of Henry's household.[2] It was audited, in fact, in the king's wardrobe and not in the exchequer. Consequently it has no place in an exchequer enrolment. Nevertheless, Gaddesden's next account, tendered "by the view and testimony of Thomas of Leek," [3] and ranging from September 13, 1237, to February 4, 1240, appears as appended to the enrolment of the last account of brother Geoffrey the wardrobe treasurer, though little detail is given. In that shape it went to the exchequer, as a part of the wardrobe account. This was doubtless the result of an order of December 18, 1239, calling on the barons of the exchequer to receive the account of the queen's wardrobe. Despite this, the earlier method of a household commission was again employed in February 1240, before which body Gaddesden and Leek were called upon to

[1] Mat. Par. *C.M.* iii. 335. Gaddesden is sometimes called queen's chamberlain; *C. Lib. R.* i. 343. This is substantially equivalent to queen's treasurer.

[2] *C.P.R., 1232–47*, p. 196. The account begins a fortnight after the wedding of Eleanor and Henry on Jan. 14, 1236, so that Gaddesden must have held office immediately on the queen's marriage. In those twenty months Gaddesden received £562 : 1 : 0¾, of which £441 : 13 : 4 came from the king's wardrobe, £90 : 7 : 8¾ from the exchequer, and £30 from the sheriff of Lincoln.

[3] *Pipe, 23 Hen. III.* No. 83, m. 7. The king's wardrobe still supplied the queen with most of her income, £849 : 14 : 11, while only £319 came from the exchequer, and a few small sums were gifts from various sources. In *C. Lib. R.* i. 481, Gaddesden and Leek are regarded as joint keepers.

answer for the jewels, receipts and expenses of the queen from January 14, 1236, to February 29, 1240.[1] This order did not prevent other instructions to the exchequer to hear immediately the accounts which Gaddesden and Leek had not yet rendered before that court.[2] The precedent for the keeper of the queen's wardrobe accounting directly at the exchequer was soon definitely established,[3] and Gaddesden's accounts for the twenty-fourth to the twenty-sixth years of Henry III. are still preserved in the exchequer archives.[4] It is the first account of the queen's wardrobe to be enrolled as such on an independent basis.

Then comes a gap. Gaddesden gave up the queen's wardrobe after the termination of this account on April 25, 1242. He had been too busy most of his period of office to account in person,[5] and now he had become so prosperous that he renounced his clerical character and his benefices, married a lady of the house of Bruce, and was dubbed knight at Henry III.'s Christmas court in 1244.[6] The accounts of the next keeper, Guy of Lapalud, have not been preserved,[7] but those of his

[1] *C.R., 1237–42*, p. 178. [2] *Ib.* pp. 252-3. [3] *Ib.* pp. 302, 513.

[4] *Pipe, 26 Hen. III.* No. 86, m. 6 d. It was from Sept. 15, 1240, to April 25, 1242, and "per visum et testimonium Thome de Lech et magistri Petri, phisici regine, qui duo habuerunt contrarotulos." The receipt was £1563 : 4s. and it came from the exchequer, the king's wardrobe, queen gold of England and Ireland, from the issues of the bishopric of Winchester, and of lands put in the queen's custody, and from a gift of the burgesses of Lynn.

[5] Robert del Ho, his clerk, had acted for Gaddesden in the account from 1236–1237, and also in that of 1237–1240; *C.R., 1237–42*, p. 163; *Pipe, 23 Hen. III.* No. 83, m. 7.

[6] Mat. Par. *C.M.* iv. 403. It is curious that Gaddesden's conduct in renouncing his clergy was only objected to by nobles envious of his advancement. The pious king, and still more the Benedictine chronicler, seem to have highly approved of it. If the chronicler's statement is true with regard to Gaddesden's wife's family, it is probably another John of Gaddesden who married "Ermigerda," sister of John Bidun, and was by her the father of John of Gaddesden the younger (d. Nov. 15, 1258); *Calendar of Inquisitions, Hen. III.* Nos. 323 and 454. This may of course have been a second wife. I do not know whether John Gaddesden, the famous physician of the next generation, and the author of *Rosa Medicinae*, was of this family.

[7] See, however, *C.P.R., 1232–47*, pp. 408, 436, and *C.R.* p. 430, which show that Guy accounted for the queen's wardrobe in the exchequer, Walter Bradley, "custodiens contrarotulum eiusdem garderobe," acting for him, because he was sent beyond seas as an envoy. This account ranged from May 6, 1242, to Oct. 28, 1243. The best known French place, called Lapalud, is a commune of the department of Vaucluse, cant. Bollène, arr. Orange. But Guy was certainly one of the queen's foreigners. M. Mugnier, *Les Savoyards en Angleterre*, p. 206, says that the Lapalud from which he took his name was in Savoy, near Saint-Pierre-d'Albigny.

next three successors, namely, Walter of Bradley, formerly Guy's "controller," James of Aigueblanche, a Savoyard, and Hugh of La Penne, a Gascon, previously "controller" under Bradley and Aigueblanche, run continuously from 33 to 54 Henry III. and are still in existence. They give us very substantial and fairly continuous information as to queen Eleanor's wardrobe expenses for the rest of her husband's reign.[1] The details show that, as time went on, the queen's wardrobe receipts increased in amount, and were derived indifferently from the king's wardrobe, the exchequer, and from her own independent sources of income. The average yearly gross receipt seems to have been about £3000, but the expenses were considerably higher, so that at the end of the accounts the queen's wardrobe was more than £22,000 in debt.[2] Eleanor was clearly an unthrifty housewife.

Queen Eleanor's wardrobe is the first recorded instance of a number of similar establishments in the interests both of the prominent members of the royal family, and of the greater baronage, lay and ecclesiastical. The royal household, as we have seen, was but a baronial household on a larger scale and with more elaborate organisation. Any important development of the king's establishment was sure to be copied, so far as their resources allowed, by the chief magnates. Before long every prince, baron and bishop had his wardrobe. Whenever there was a queen, consort, or dowager, there was a queen's wardrobe, though the later queens' wardrobes differed from that of Eleanor of Provence[3] in being dependencies of the king's wardrobe

[1] See for details *P.R.O. Lists and Indexes*, No. xi., "List of Foreign Exchequer Accounts," pp. 103-4. Bradley's last account from May 3, 1254, to Dec. 6, 1254, and that of Mr. James of Aigueblanche from Dec. 6, 1254, to Nov. 11, 1255, are in *Pipe, 39 Hen. III.* No. 90, m. 15. Hugh de la Penne then succeeded him. His last long account, between Oct. 28, 1264, and Oct. 28, 1269, is "per testimonium et rotulum Alexandri de Bradeham, capellani eiusdem regine," and gives receipts totalling to £22,329 : 0 : 10½ for the five years; *Pipe, 53 Hen. III.* No. 113, m. 1.

[2] A table of the revenue of queen Eleanor's wardrobe is given by Sir James Ramsay in his *Dawn of the Constitution*, p. 295.

[3] Sir James Ramsay in *Dawn of the Constitution*, pp. 531-2, says "we are relieved of the queen's wardrobe in the reign of Edward I." By this he means that the accounts of the queen's wardrobe of that date are included in those of the king's wardrobe, while under Henry III. the queen's wardrobe was separate. It was, however, largely financed from the king's wardrobe, and we must not add its issues and receipts to those of the king's wardrobe to get the totals of

and accounting to it, while queen Eleanor's was a self-sufficing institution, to the extent of accounting directly to the exchequer.

Wardrobes for the king's children begin with the wardrobe of the future Edward I. This, which probably dated from the time when his establishment was set up in 1254, we find hard at work in Gascony during Edward's sojourn there in 1255.[1] In that year Eleanor of Castile, whom Edward had married in 1254, had her wardrobe also.[2] There was also the wardrobe of Richard of Cornwall, king of the Romans.[3] Similarly, Edward I. set up a wardrobe for Edward of Carnarvon, which was doubtless the starting-point of a long series of "earl's, prince's, and duke's wardrobes," which can, throughout the fourteenth century, be seen in operation, whenever the king had a son to rule as earl of Chester, prince of Wales, or duke of Cornwall or Aquitaine.[4] With the early fourteenth century the younger sons of the king begin to have their wardrobes too. We have still the accounts of the keeper of the wardrobes of Edward II.'s brothers, Thomas and Edmund, the future earls of Norfolk and

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the court's income and expenditure. Similarly the wardrobe of Edward I.'s children accounted in the king's wardrobe and not in the exchequer. See later, Vol. II. Ch. VIII. § 1.

[1] *R.G.* t. i., Supplément, pp. 13, 25, 31, 36. Its keeper in 1255 was Ralph Dunjon, Dungun, or Donjon, called also by Edward, on Oct. 25, "thesaurarius noster"; *ib.* pp. 51 and 53. Ralph, a king's clerk of long standing, had been Edward's clerk before he is described as keeper of his wardrobe, for his "long service" to the king's son is spoken of in Aug. 1254; *ib.*, *1247–58*, p. 316. He was still held keeper on Nov. 24, 1258; *C.P.R.*, *1258–66*, p. 6. There was by 1259 a system of enrolments in Edward's wardrobe; *ib.* p. 13. Between 1265 and 1270 Laurence of Lovershall seems to have been keeper of the king's son's wardrobe (*C.C.R.*, *1279–88*, p. 224). Thomas of Bolton, Edward's steward, and Robert Burnell, his clerk, were also responsible for some of his accounts. Lovershall went with Edward on crusade in 1270; *C.P.R.*, *1266–72*, pp. 440, 443. While away he was replaced as keeper by Philip of Willoughby, as to whom see later, Ch. VII. § 1. Edward also had his chancery and chancellor. In 1262 his chancellor was "Raon de Vivonia"; *C.P.R.*, *1272–81*, p. 131.

[2] *R.G.* t. i., Supplément, p. 39. The "custos garderobe consortis nostre" was then John of London; *ib.* p. 39.

[3] *Exch. Accts.* 350/5, shows its existence.

[4] The succession of officers and some of the transactions of the wardrobes of the king's sons can be collected from the *Accounts of the Chamberlains of Chester, 1301–1360*, edited in 1910 by Mr. R. Stewart-Brown for the Lancashire and Cheshire Record Society, and in *Flintshire Ministers Accounts, 1301–28*, edited by Mr. Arthur Jones for the Flintshire Historical Society. I shall have occasion to recur to this subject when we get to the reigns of Edward II. and Edward III.

Kent, and of his younger son, John of Eltham, when they were mere boys.[1]

None of the subsidiary royal wardrobes, save those of the earls of Chester and princes of Wales, can vie in historical importance with the wardrobes of some of the greater earls. Conspicuous among these are the wardrobe accounts of the earls and dukes of Lancaster, as to the earlier of which we have unfortunately very scanty information. The chief surviving fragment of the accounts of Earl Thomas of Lancaster shows that in one year this lord of five earldoms expended in defraying the costs of his household nearly eight thousand pounds, a sum whose magnitude fully confirms the testimony of the chroniclers as to his regal state.[2] Full details of his successors' household accounts in the late fourteenth century can be read in the receiver-general's accounts of John of Gaunt, and of his eldest son Henry, earl of Derby, the future Henry IV.[3] Of even greater interest are the purely household and wardrobe accounts of Henry, earl of Derby, and his first wife, Joan Bohun, many of which are still extant.[4] The military expenses of a great earl, like those of the king himself, were recorded in his wardrobe book, and in both cases it was customary to enrol in special accounts the records of an exceptionally costly martial expedition. It is to this habit that we owe the elaborate and instructive details of Henry, earl of Derby's expeditions to Prussia and the Holy Land in the years 1390–91 and 1392–93 which have been preserved for us in the accounts kept by his treasurer, Richard Kingston, which are happily accessible in print.[5] We should be able to realise much

[1] *Pipe, 6 Edward II.* m. 44, gives the accounts of John of Claxton, keeper of the wardrobe of the king's brothers, for 4 and 5 Edward II.; *Pipe, 19 Edward II.* No. 171, m. 8, those of William "de Culpho" for the household of John of Eltham. For other similar accounts, see *P.R.O. List of Foreign Accounts*, pp. 106-7.

[2] Stow, *Survey of London*, i. 85-7, ed. Kingsford. The expenses recorded by his cofferer, Henry Leicester, amount to £7957 : 13 : 4½ from Michaelmas 1313 to Michaelmas 1314. See also later, Vol. II. Ch. VIII. § i.

[3] *P.R.O. Lists and Indexes*, No. xiv.; *Records of the Duchy of Lancaster*, p. 2.

[4] *Ib.* p. 1.

[5] Two editions of these have been published, one for English use in *The Earl of Derby's Expeditions, 1390–1, and 1392–3*, carefully and elaborately edited by the late Miss Lucy Toulmin-Smith (Camden Society, New Series, No. lii., 1894), and for German use in *Rechnungen über Heinrich von Derby's Preussenfahrten, 1390–1 und 1392, herausgegeben von Dr. Hans Prutz* (Publikation des Vereins für die Geschichte der Provinzen Ost- und Westpreussen, 1893).

more completely the daily workings of the household, and the whole social life of the middle ages, had these baronial wardrobe accounts survived with greater frequency.

We must now turn to the other great new development of the wardrobe of this period and note the beginnings of what came to be called the great wardrobe. From the earliest days of wardrobe accounts we find special commissions given to wardrobe clerks to purchase at fairs and elsewhere cloth, wax, spices, furs, and other storable commodities for the king's use. These commissions take their definite shape when William of Haverhill is associated for such purposes with William, the king's tailor, in the days of Kirkham and brother Geoffrey. The technical and commercial problems involved in such buyings went beyond the ken of the king's wardrobe clerks, so that in this aspect of wardrobe activity, laymen, whether official craftsmen like the king's tailors, or London citizens in favour with the court, take a prominent part. The king's "buyers and takers" had the right of anticipating ordinary customers and purchasing at the king's price what the king required. From this arose many delicate questions, and, as is well known, the royal rights of prisage and pre-emption were among the first things which brought the proceedings of the wardrobe officers within the view of traditional constitutional history. Moreover, the bulk of the commodity thus purchased was so large that it required special storehouses in various parts of the country. Also the amount involved in the purchases was so great that, even apart from the obvious advisability of making special officers responsible for acts so often unpopular and arbitrary, there were strong financial reasons for treating by themselves the accounts of this branch of the wardrobe. For all these reasons it seems to have been found wise gradually to separate the purchase, warehousing, and distribution of the king's stores from the other main items of the general accounts. This was already the case when Kirkham's wardrobe account from 1234 to 1236 was rendered to the exchequer "by the view and testimony" of Haverhill. Less than twenty years later the term "great wardrobe" is found in surviving documents. The department so called had already made such strides towards virtual independence that it will be most convenient to treat its detailed history by itself in a later

chapter. It must be remembered, however, that, at least until the concluding years of the thirteenth century, the great wardrobe, though steadily making towards the independence which it subsequently attained, remained strictly a part of the general wardrobe establishment. If, therefore, we would realise the full activity of the wardrobe under Henry III. the present chapter must be studied in connection with that portion of the chapter on the great wardrobe which treats of its history under that reign.

SECTION IV

The Wardrobe in Foreign Hands, 1240–1258

Let us now revert to the main stream of wardrobe history at the point when power again passed to the king's foreign friends. Within a month of the dismissal of brother Geoffrey we know, on the testimony of the king himself, that there were no less than nineteen king's clerks from beyond sea, in the royal service.[1] It was from this crowd that the aliens came who now took such a tight hold of the king's wardrobe that it remained in their hands from 1240 to 1258. Among the nineteen we find the names of three keepers of the wardrobe, who successively followed the Templar. The first of these was Peter of Aigueblanche, who was responsible for the wardrobe, jointly with William de Burgh, from February 4, 1240, to October 27, 1241. He was succeeded by Peter Chaceporc, who accounted from October 28, 1241, to his death on December 24, 1254. Then came Artaud of Saint-Romain, who acted from January 10, 1255, until his death about Michaelmas 1257. His successor was our old friend Peter of Rivaux, who remained in office until July 7, 1258, when he was removed by the Provisions of Oxford. Of all these men only William de Burgh could have been a born Englishman. It was something that Englishmen were, for the greater part of the period, allowed to occupy that secondary position, which it would be convenient to call by anticipation the controllership. For despite the apparent suggestion of joint responsibility, it seems unlikely that William de Burgh stood to Peter of Aigueblanche in a more independent relation than he occupied in the early years of Chaceporc's keepership, when Chaceporc presented his account by William's "view and testimony" from October 28, 1241, to October 27, 1244.[2] The next clerk to view and testify

[1] *C.R., 1237–42*, pp. 175-176. This is a letter of Henry, dated Feb. 22, 1240, and addressed to the papal legate, asking him to procure the remission of a special exaction from foreign clerks, beneficed in England, of a fifth of their revenue for the use of the pope.

[2] *Pipe, 28 Hen. III.* No. 88, m. 14. William de Burgh is, however, called "treasurer of the wardrobe" sometime between May 13, 1240, and Oct. 27 1241;

was William Hardel, an Englishman who had been prominently concerned with household finance since Kirkham's days,[1] and had acted under Chaceporc from October 24, 1244, to September 30, 1249.[2] Next came William of Kilkenny, whose curious relations both to chancery and wardrobe will have to be considered later, but who certainly viewed and testified Chaceporc's accounts from September 30, 1249, to at least October 27, 1252.[3] A break in the accounts now obscures our vision, and Kilkenny's presence in England as keeper of the seal during Henry's Gascon journey of 1253–4, makes it unlikely that he could assume responsibility for wardrobe officials who followed Henry beyond sea. Anyhow the next known successor of Kilkenny was a foreigner, the Norman Aubrey of Fécamp, who "kept the counter-roll" in Artaud de Saint-Romain's later period of office.[4] Artaud had, however, the grace to delegate his functions to John of Sutton, who must surely have been an Englishman. We have already spoken of Artaud of Saint-Romain as the first wardrobe clerk who is specifically described as "having the counter-roll."[5] From his time onwards we need have no scruple in describing persons holding his position as "controllers" of the wardrobe.

The first of the foreign keepers of the wardrobe, Peter of Aigueblanche, belonged to a junior branch of the great Savoyard house of Briançon, whose chiefs were viscounts of the Tarentaise. He came to England in 1236 as the household clerk and treasurer of the queen's uncle, William of Savoy, bishop-elect of Valence.[6]

Foedera, i. 742; *C.P.R., 1281–92*, p. 393 (see also, note 5, below). The authority, a patent of 1290, is, however, somewhat suspicious.

[1] See for example his association with William of Haverhill in 1235 and 1236 in the appreciation for the king's use of jewels and furs; *C.R., 1234–7*, p. 72, and in retaining horses for the king's use; *ib.* p. 75, and in receiving licenses in the wardrobe; *ib.* p. 396.

[2] *Pipe, 35 Hen. III.* No. 95, m. 7.

[3] *Ib.* m. 7, gives the accounts up to Feb. 17, 1252. From Feb. 18 to Oct. 27 of that year the accounts are in *Chancellor's Roll, 36 Hen. III.* No. 45, m. 20.

[4] *Pipe, 39 Hen. III.* No. 99, m. 15 d.

[5] See above, p. 248. The patent of 1290, printed in *Foedera*, i. 742, which speaks of William de Burgh as "treasurer of the wardrobe" after 1240 calls Aubrey "sub-treasurer of the wardrobe." See above, p. 260, note 2.

[6] Mat. Par. *C.M.* iv. 48 describes him as William of Savoy's "familiaris clericus et procurator expensarum." For the details of Peter of Aigueblanche's biography, see the life of him by the present writer in the *D.N.B.*, and F. Mugnier's *Les Savoyards en Angleterre au xiii^me^ siècle et Pierre d'Aigueblanche* (1890).

After his master's death in 1239, Peter settled in England and became clerk and "special counsellor" to Henry III. Though keeper of the wardrobe for nearly two years, he was too high in Henry's favour, and too much immersed in his own ambitious projects, to give much personal attention to the details of his work, which probably fell mainly into the hands of William de Burgh, who had some assistance from Thomas of Newark, his predecessor as controller. Both of these are called keepers on July 20, 1240. Help also came from Peter Chaceporc,[1] who with Thomas and William are now described as "clerks of the wardrobe," so that we have, including Peter, evidence of four wardrobe clerks acting at the same time. In a very short time the quest of a bishopric diverted Peter of Aigueblanche from wardrobe business, though not from the affairs of the court. Henry III., after failing to procure for his favourite the rich see of Durham, secured his appointment as bishop of Hereford. The royal assent was given to the election on September 6, 1240, and Peter was consecrated on December 23.[2] It is significant of the higher status now attained by wardrobe officers that Peter continued to act as keeper of the wardrobe for ten months after his consecration as bishop. On the eve of his consecration, however, he took the precaution of obtaining from the king a quit-claim from all account and reckoning which the king might require of him from the time when he had that custody.[3] Under these circumstances, no accounts of Peter of Aigueblanche are preserved in the exchequer. The worst traditions of Peter of Rivaux were thus revived.

All we know of the finances of the wardrobe for the time when Peter of Aigueblanche and William de Burgh were responsible, as clerks of the wardrobe, is the amount of the "remnant" in hand when their successor Peter Chaceporc, took over the accounts on October 28, 1241.[4] Practically nothing can be

[1] For the association of Newark and Burgh, see *C.R., 1237–42*, p. 195 (June 9, 1240), and still more, *C. Lib. R. Hen. III.* i. 459, 466, 469, 474, and 483. These two received all wardrobe payments up to July 1240, though Peter was taking wages as keeper; *ib.* p. 460. The first liberate and computate writs in his favour were on July 7; *ib.* p. 471. For that of Burgh and Chaceporc, see *ib.* p. 274 (Feb. 3, 1241), and p. 301 (May 16, 1241).

[2] *Ib.* p. 222; Mat. Par. *C.M.* iv. 74-75 [3] *C.P.R., 1232–47*, p. 240.

[4] See for this *Pipe, 28 Hen. III.* No. 88, m. 14. "Idem Petrus reddit compotum de liberationibus quas recepit per manus Petri de Aquablanca et

learned of the details of the administration of the wardrobe during their term of office. The curious silence of the records can be equally well interpreted as testifying to the inactivity or the irresponsibility of the wardrobe under his headship. However that may be, Peter of Aigueblanche remained one of the greediest, most unscrupulous and active of Henry III.'s foreign favourites until the storms of the barons' wars drove him back to his native valleys, where the better side of his character was brought out by his magnificent foundation of the collegiate church of Aiguebelle in Maurienne, where he died in 1268. A large number of his kinsfolk continued till nearly the end of the century to enjoy in England the benefices procured for them by their uncle's favour. Among them was James of Aigueblanche, whom we have met already as keeper of queen Eleanor's wardrobe.

The monotonous succession of foreign keepers was diversified only by the alternation of the Savoyard favourites of the queen with the Poitevin relatives of the king. The next keeper, Peter Chaceporc, belonged to the latter category. This Poitevin clerk certainly owed his rapid rise to the fact that his eldest brother, Hugh Chaceporc, was married to a "kinswoman of the king,"[1] named Guidona, who was doubtless a member of the house of Lusignan. Beginning to account for the wardrobe on October 28, 1241, Peter Chaceporc held office until his death at Boulogne on December 24, 1254.[2] In all this long period of office Chaceporc did nothing to call down upon himself the abuse of patriotic chroniclers, perhaps too easily disposed to see evil in the deeds of Henry III.'s foreign officials. Matthew Paris

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Willelmi de Burgo, de tempore quo fuerunt clerici de warderoba regis." Also "Compotus debetur de warderoba regis a die sabbati proxima post purificationem beate Marie, anno xxiv°, usque ad festam sanctorum Simonis et Jude, anno xxvi°, unde Petrus episcopus Herefordensis debet respondere, et Willelmus de Burgo."

[1] See for this *C.P.R., 1232–47*, p. 502, a grant of June 1, 1247, "of a yearly fee of thirty marks at the exchequer to Hugh Chaceporc and his heirs by Guidona his wife, the king's 'cognata,' for his homage and service"; *ib., 1247–58*, p. 126, shows that Hugh was Peter's eldest brother. He also became his heir; *C. Ch. R.* i. 147; *Monasticon*, vi. 498. Mat. Par. *C.M.* v. 483, calls Peter, "Pictaviensis natione."

[2] The *Dunstaple Annals*, p. 194, and Mat. Par. *C.M.* v. 483, both agree as to the date of Chaceporc's death, which is also absolutely established by *C.P.R., 1247–58*, p. 388.

himself commemorates the worthy end of Chaceporc's life, and the "noble testament" by which the dying keeper provided for the foundation of a priory of Austin canons at Ravenstone, near Olney, in northern Buckinghamshire.[1] Henry III. caused Chaceporc to be buried in the church of St. Mary's at Boulogne, among the relics which had attracted king and keeper on pilgrimage thither. The king too became personally the founder of the house at Ravenstone which his faithful servant had wished to establish.[2]

For the thirteen years of Chaceporc's long keepership we are fortunate in still possessing continuous exchequer enrolments of his accounts from his entry into office on October 28, 1241, until October 27, 1252.[3] It is improbable that Chaceporc ever accounted after this date, for he sailed with the king to Gascony on August 6, 1253, before the next statement was due. It is unlikely that he sent in any accounts from France to the exchequer, and he died, as we have seen, on the eve of the king's return to England. Moreover, on Christmas day, 1254, the day after Chaceporc's death, the king pardoned and quit-claimed Chaceporc's heirs and executors "from all debts he may owe to the king," and "from all accounts and reckonings for the time that he was keeper" up to the day of his death.[4] This clearly would not have been necessary if Peter had not been somewhat in arrears with his accounts, and the promptitude with which it was done is not uncharacteristic of the kindly and generous side of Henry III.'s character.

At first sight the figures of Chaceporc's accounts from 1241 to 1252 present enormous fluctuations. Between October 1241 and midsummer 1245 the receipt attained the large figure of less

[1] Mat. Par. *C.M.* v. 484, 535.

[2] The king's foundation charter is printed in *Monasticon*, vi. 498.

[3] The accounts of these eleven years were rendered in three instalments. (1) From Oct. 28, 1241, to Oct. 27, 1244, by W. de Burgh's view and testimony, and from Oct. 28, 1244, to June 24, 1245, by that of William Hardel, in *Pipe, 28 Hen. III.* No. 88, m. 14. (2) From June 24, 1245, to Feb. 17, 1252, by William Hardel's view and testimony up to Sept. 30, 1249, and by that of Mr. William of Kilkenny from that date, in *ib. 35 Hen. III.* No. 95, m. 7. (3) From Feb. 18, 1252, to Oct. 27, 1252, also by Kilkenny's view and testimony, in *Chancellor's Roll, 36 Hen. III.* No. 45, m. 20.

[4] *C.P.R., 1247–58*, p. 388. On *ib.* p. 389 is a mandate to the exchequer to cause this to be done and enrolled, given by the king and the whole council, and also dated on Christmas day. On an earlier occasion in Feb. 1250, Chaceporc, when despatched as an envoy abroad, had been promised that his representatives would be held quit of accounts if he died on his journey; *ib.* p. 61.

than £5 short of £79,000, which works out to an average of little less than £22,000 a year. For the same period the expenditure was just over £72,000, but little stress can be laid upon accidental excess or defect in income over outgoings or the reverse, since a defect on one side on one account seems nearly always compensated by a balance on the other side in the next. As the previous wardrobe accounts of the late 'thirties averaged about £9000 a year, these swollen figures suggest that, since the days of Kirkham and brother Geoffrey, the household expenses of Henry III. had more than doubled. A more careful examination of details dispels this illusion, for it shows that the heavy period of expenditure was that of the king's long visit to Gascony between May 1242 and September 1243.[1] Even for that time the expenses of the *domus regis et regine* are not much greater than they had been seven or eight years earlier, amounting, for example, in 26 Hen. III. to less than £5000.[2]

The real cause of the magnitude of Chaceporc's accounts is to be seen in the political conditions of the time. During his absence abroad Henry engaged in expensive military operations which were financed by the wardrobe, so far as they were paid from English sources at all. The disastrous campaign of Taillebourg and Saintes, and the futile but expensive negotiations which attended it, explain sufficiently the large scale of the wardrobe transactions during the years 1242–3.

What Henry's military expenses really were we have no complete material for determining. The wardrobe accounts confuse under a common heading gifts to Isabella, the king's mother, and to various members of the house of Lusignan, with the various gratifications which mediaeval usage required when a compact was concluded, and the gifts, fees and liveries to knights, men-at-arms and sailors which constituted war expenses in the narrower sense of the word. The composite heading of "gifts, fees and liveries" explains more than two-thirds of the wardrobe expenses of both these years.[3] When the king

[1] The details of expenses are for 26 Hen. III. £31,440 : 9 : 3½, for 27 Hen. III. £24,054 : 4 : 3½.

[2] The exact figures are £4953 : 0 : 6.

[3] The figures are 26 Hen. III., £22,485 : 6 : 5½, and 27 Hen. III., £17,550 : 0 : 5½.

was back again in England, his wardrobe expenses for the year October 1243 to October 1244 were not much over £11,000, while in the eight months between October 1244 and midsummer 1245 they were little more than £5000.[1] The figures of Chaceporc's later accounts confirm this view of the stationary character of normal wardrobe expenses. In the long account which runs from midsummer 1245 to February 1252, the average receipt of Chaceporc is just under £10,000 a year.[2] The short account between February and October 1252 gives a receipt of only £6500 for eight months, and an expenditure of only £5300.[3] It is unlucky that Chaceporc's accounts stop just short of Henry III.'s second long visit to Gascony during the Poitevin's tenure of office. This began in August 1253, and ended in the last days of 1254, immediately after Chaceporc's own death. There is material, however, in the Gascon rolls to make us feel confident that absence beyond sea again swelled the obligations of the wardrobe. It is fortunate perhaps for the Poitevin's finance that the king's debts were not at this time set forth in the wardrobe accounts, though many were contracted through Chaceporc's agency.[4] But for this omission we should be inclined to think that the complaints of the chroniclers were excessive.

From other points of view than that of the mere gross receipts and expenses the period of Henry III.'s two visits to Gascony is by far the most interesting time in the history of the wardrobe under Chaceporc's headship. Its special importance lies in the

[1] The exact figures are 28 Hen. III., £11,318 : 14 : 3½, and 29 Hen. III. (to June 24), £5234 : 13 : 11.

[2] The figures are June 24, 1245, to Feb. 17, 1252. "Recepti summa" £66,240 : 15 : 6½, of which £33,727 : 16 : 4½, practically half, came from the exchequer. The expenses for the period were £68,930 : 3 : 2. A good deal of this was virtually military expenditure. For instance "et in donis et liberacionibus militum et seruientium in exercitu de Gannoch anno xxix° (1245), in municione de Gannoch et Dissard existentium annis xxx° et xxxi° (Oct. 1245–Oct. 1247), et in construccione castri de Gannock per idem tempus," £7440 : 14 : 0. It is unlucky that the three "rolls of particulars" referred to for details of this large expenditure are no longer extant. It is a striking illustration of the cost of keeping up the two chief castles, Deganwy and Diserth, that held the four cantreds of the Clwyd region.

[3] The figures are £6504 : 7 : 5, of which £1900 is from the exchequer, and for expenses, £5313 : 1 : 7½.

[4] For instance *C.P.R., 1247–58*, p. 275, records a loan negotiated at Bordeaux with some civic magnates, first of whom was Arnold Calhau, whose family we shall hear of again.

fact that the two royal treasuries, the wardrobe and the exchequer, have each a definite sphere of work when the king is beyond sea. When the monarch is in England exchequer and wardrobe are constantly overlapping in practice, however clearly we may distinguish their respective fields of work in theory. When Henry went to France, the ordinary difficulty in drawing the line between their operations is at once removed. The exchequer was practically sole treasury for England, raising and distributing the revenue as best it could. The wardrobe was the sole royal treasury for court, warlike and general expenses incurred abroad. The only duty which the exchequer now had to the wardrobe was to provide it with the funds for which the king was always clamouring. This was most easily done by despatching large sums of specie from London to Gascony by trustworthy messengers. When these failed, and other supplementary sources of income proved insufficient, the king was forced to pay his way by issuing in Gascony writs of *liberate*, which the recipients had to get presented to the exchequer as best they could. Yet, however onerous the burden of the king's expenses was to the exchequer officers, the separation between the treasury in London and the treasury in Gascony remained perfectly clear. One result of this is seen in the increasing frequency with which Chaceporc is called in these years not only "treasurer" of the wardrobe, as well as its keeper, but even the "king's treasurer."[1] King's treasurer was equally the common description of the treasurers of the exchequer, William of Haverhill, and his successor, Philip Lovel. The two exchequer and wardrobe officers are described as treasurers in writs of the same date and type. There was no longer any danger of confusing a king's treasurer who lived in London, and a king's treasurer who perambulated with the court in Gascony. Yet even when the court and wardrobe were safely established

[1] Even when in England Chaceporc is sometimes called simply "treasurer," for instance in *C.R., 1242–7*, p. 539, and *C.P.R., 1247–58*, pp. 134, 188. The latter entry, printed in *Foedera*, i. 288, is particularly interesting because of the juxtaposition of the seals of "P. Chaceporc, thesaurarius noster" and "magister Willelmus de Kilkenny, cancellarius noster." This vividly illustrates Henry III.'s levelling policy of treating all his ministers, household or otherwise, alike. Guy de Lapalud, keeper of the queen's wardrobe, is also generally called in the Gascon Rolls "queen's treasurer"; *R.G.* i. 239;

in England the chancery clerks had no scruple in calling Haverhill "the king's treasurer in London" by way of contrasting him with Chaceporc "the treasurer of our wardrobe."[1]

The study of the documents issued from the king's chancery during his two long visits to Gascony will enable us to illustrate the working out in detail of the financial relations of the two treasuries, and the ways in which the wardrobe administered the king's treasure in Gascony. It will be better to take the expeditions of 1242–3 and 1253–4 separately.

In the early part of the former expedition, money went easily from England to Aquitaine. Thus on October 14, 1242, the king received in his wardrobe at Bordeaux into the hands of Peter Chaceporc, £3563 : 14 : 5, from Elias of La Penne and Thomas Basset, servants of the chamberlains of the exchequer.[2] No such great sum as this was forwarded at one time, until the king's sojourn was drawing to an end. The Irish exchequer equally with the English exchequer was called upon to contribute to the king's needs, and delivered on July 27, 1242, to Chaceporc through two special messengers,[3] and again on July 8, 1243, 2000 marks.[4] This was soon supplemented by £4000 from the English exchequer, delivered to Chaceporc on August 29 by two servants of the chamberlains.[5] English and Irish subsidies were, however, insufficient to supply the king's wants. Something, however, came in from Gascony itself, as when on July 20, 1242, Chaceporc received 7500 shillings bordelais from the good men of

[1] *C.R., 1242–7*, pp. 276 and 309, are mandates of 1244 and 1245 to Haverhill, "thesaurario suo London," to make payments to Chaceporc "custodi warderobe regis" and "thesaurario garderobe nostre."

[2] *R.G.* i. 72, "sciatis quod . . . recepimus ab Elya de la Penne et Thoma Basset, seruientibus camerariorum nostrorum, in garderoba nostra in manu Petri Chaceporc," etc.

[3] *Ib.* i. 48.

[4] *Ib.* i. 140. The "1242" of Michel should here be "1243." Those who use Michel's volume of the Gascon rolls would be wise never to quote a text, name or date from it until they have been corrected from M. Bémont's admirable *Corrections et Additions* in his *Supplément au tome premier*, pp. xxxii-lxi. It is only fair to Michel to add that the blame for his numerous blunders must be shared between him and the authorities of the Public Record Office between 1875 and 1885, who furnished him with the transcripts from which he worked. A better text of much of Michel's work can now be used in the new *C.R., 1237–42*, where Michel, pp. 1-30, is reprinted on pp. 495-533, and *ib. 1242–7*, where Michel, pp. 168-220, is again set forth on pp. 1-71.

[5] *Ib.* i. 150.

La Réole.[1] The smallest contributions were not unwelcome, such as the £20 bord. of booty, which a sailor from Winchelsea paid in to Chaceporc in October 1242.[2] Next month, when a ship arrived at Bordeaux, Chaceporc and his subordinates were ordered to retain for the king's use all its cargo from which the wages of knights and men-at-arms could be paid.[3] It is a sign of the growing distress of the king that writs of *liberate* and *allocate*, which are very rarely enrolled in the early part of his visit, become extraordinarily numerous towards the end of it. Chaceporc certainly had plenty to do with his money. At one time we find him furnishing flour to the king's baker,[4] redeeming a pledged horse,[5] and sending the king, "this night, ten cross-bows, six thousand quarrels, and all the iron armour which he could raise in Bordeaux."[6] No wonder that when Roger de Ros, the king's tailor, was sent to buy cloth, silk, and other "great wardrobe" necessities at Provins fair, the king was compelled to contemplate paying for them by borrowing £200 from a clerk of the count of Flanders.[7] As a result of the activities of this Roger the Tailor the section of the wardrobe under his charge begins to develop a semi-independent existence, and became known as the "great wardrobe."

If Chaceporc did the work of the exchequer in Gascony, Haverhill in London was constantly ordered to make payments that, had the king been in England, would naturally have been made in the wardrobe. Thus an exchequer officer was to panel plainly, "without ornament or painting, the chamber in which the king's wardrobe is, so that the king may have it ready on his return,"[8] while the treasurer of the exchequer is charged with buying fur-lined winter robes for the king's son and daughter.[9] During the whole of the king's absence there is no trace of any wardrobe clerk or wardrobe organisation in England. The whole establishment went, with the rest of the court, overseas with the king. This fact explains such grants as those which the king made to his brothers, Guy and Geoffrey de Lusignan,

[1] *R.G.* i. 46. An apparent error of three days in the dating seems to have escaped M. Bémont's notice. Sunday, the feast of St. Margaret, was not 17 but 20 July, 1242.

[2] *Ib.* i. 67. [3] *Ib.* i. 171. [4] *Ib.* i. 172.
[5] *Ib.* i. 172. [6] *Ib.* i. 171-172. [7] *Ib.* i. 125.
[8] *Ib.* i. 181. [9] *C.R. 1242–7*, p. 118.

of pensions to be received "at the exchequer of England, if the king be there, or at the wardrobe if the king be beyond seas." [1]

One exception must be made to the statement that the whole apparatus of the wardrobe was taken with the king to Gascony. The privy seal, which had been the seal of the chamber, or wardrobe, since the days of John, remained in England, where it was used to seal the writs of the exchequer. This is in itself another strong proof of a conscious confusion of the sphere of the exchequer with that of the wardrobe. However, the full significance of this curious inversion of the usual practice can best be reserved until we study later the relations of the chancery and wardrobe in the middle part of Henry's reign. It is enough here to say that, though the administrative aspect of the wardrobe during the king's sojourn in Gascony in 1242-3 is to some extent illustrated in the rolls, it is never very prominent. A sufficient reason for this is that Henry had with him in Gascony the great seal, its keeper, and the chancery clerks. All these points can be better dealt with at a later stage.

As regards Henry III.'s later long visit to Gascony in 1253–4, the records present the same state of things in most essentials, but also some very interesting variants. The arrangements for sealing writs during the king's absence were different, as we shall see later on. Peter Chaceporc, now archdeacon of Wells, was still keeper of the wardrobe, which was again bodily transferred with the king to his dominions in southern France. Peter was still as often called treasurer as keeper, and Philip Lovel, archdeacon of Coventry, who in 1252 had succeeded Haverhill as treasurer of the exchequer, was sometimes distinguished from the treasurer acting beyond sea by being called "treasurer of England." [2] There are fewer records of the receipt of specie, sent from the London exchequer to the Gascon wardrobe, than during the earlier royal visit, and the pressure on the king's

[1] *R.G.* i. 42, "trescentas marcas singulis annis percipiendas ad scaccarium nostrum in Anglia, si ibidem fuerimus presentes, videlicet ad natiuitatem sancti Johannis Baptiste cl marcas, et ad natale Domini cl marcas: et si fuerimus in partibus cismarinis, volumus quod eas percipiant de garderoba nostra ad eosdem terminos." Henry in June 1242 was of course writing in Gascony.

[2] *Ib.* i. 352. This instance may well throw some light on the general process by which the hereditary secular officers of the court, such as the steward and marshal, are first called "of England." See above, p. 90.

resources was plainly even greater than on the previous occasion. When on his former visit the king would have issued a writ of *liberate*, he is now reduced to falling back on vague promises of paying his bills or repaying the loans and *prestita* advanced to him, "when our treasure shall have arrived from England."[1] Meanwhile Chaceporc had to exhaust the king's credit, and to exploit as best he could the revenues of Gascony. Loans from citizens of Bordeaux or Agen, from Italian bankers, from any one who had money to lend are copiously recorded. With them go piteously worded promises of repayment, which were seldom redeemed though constantly repeated.[2] One result of this stringency was that Chaceporc seems to have now had a larger share than before in the administration of Gascon funds. Thus the king authorises him to farm out the rents and customs of Bordeaux, and "the provostship of that city if need should arise."[3] Before long the Aquitanian customs were allotted to satisfy some of the king's more importunate creditors.[4] Yet the most trifling payments were constantly postponed. The king could not raise twenty marks without selling one of the horses of his clerk, Richard Rufus, and putting off repayment to the owner until the royal treasure should arrive from England.[5] He could not pay his soldiers their wages until that same treasure came.[6] If a group of Flemish mercenaries had in some measure to be satisfied, Henry ingenuously protested that he had no intention of cheating them, and bade Chaceporc pay them in cloth, if money were not available.[7] Within a week of his arrival, Henry wrote to Lovel clamouring for the despatch of treasure by Michaelmas 1253.[8] For some nine months there is no record of the arrival of any substantial help.

At last on June 14, 1254, Simon Passelewe brought from England the long-expected supplies, bars of gold valued by weight at £1088, an immense quantity of jewels and plate, coined money to the amount of 3550 marks, and other sums which Lovel had given to the queen's treasurer.[9] Soon came remittances from the Irish treasury to the amount of £1533 : 6 : 8

[1] *R.G.* i. 274, 302, 319, 324, 347, and countless other places.
[2] *Ib.* i. 274, 302, 485, 522, 541, 548.
[3] *Ib.* i. 268.
[4] *Ib.* i. 274, 300.
[5] *Ib.* i. 335.
[6] *Ib.* i. 319, 370.
[7] *Ib.* i. 370.
[8] *Ib.* i. 352.
[9] *Ib.* i. 484-485.

sterling,[1] and from the English exchequer another supply of 4671 marks, delivered to Chaceporc by a Templar named Alan.[2] Yet these sums were utterly inadequate. On August 31 the king told Lovel that he could not get home again without further assistance.[3] The exchequer was directed to borrow from Richard of Cornwall, the regent, six or seven thousand marks of silver, and to pledge its revenues to the king's brother for its repayment. This loan was to be despatched, partly to Bordeaux and partly to Paris, through which city the king was to return. Four thousand marks, sent by Templars, Hospitallers, or other safe messengers, were to reach the Gascon capital by October 13. The rest was to be delivered to the king at Paris. So important was the matter that the wardrobe clerk, Artaud de Saint-Romain, was sent specially to London from Gascony to see that the king's needs were promptly met.[4] Even then Henry could not quit Bordeaux without large fresh borrowings from the archbishop and various financiers of the capital and Agen.[5] Each stage of his pilgrimage to Pontigny, and road home through Vendôme, Paris, Amiens and Boulogne was marked by new loans.[6] When Henry reached Witsand, his wardrobe and his followers were held up for lack of ships, and more had to be borrowed. Nor were the king's nobles better provided than their master, and Henry was forced to make a large advance, proportionate to his necessities, to Simon of Montfort, earl of Leicester, his brother-in-law.[7] It was well for Chaceporc that death absolved him from rendering his last account.[8]

Chaceporc's work of distribution, management and negotiation was even more arduous than in 1242–3. He had two advantages that he had not on the earlier occasion, namely,

[1] *R.G.* i. 488. [2] *Ib.* i. 492.

[3] *Ib.* i. 500-501. An advance was necessary because, one imagines, no money would come into the exchequer before it received the new year's revenue at its Michaelmas session.

[4] *Ib.* i. 501. [5] *Ib.* i. 501, 522, 541.

[6] *Ib.* i. Supplément, lxxii, lxxiii, lxxvii, lxxviii, lxxix, lxxx, lxxxii.

[7] *Ib.* i. 368; mandate to Chaceporc, Nov. 10, 1253, "quia Simon . . nondum fuerat in pecunie quantitate premunitus . . . quod eidem comiti competens prestitum habere faciat secundum indigenciam status sui."

[8] It may be mentioned on the other side that only in 1255, Philip Lovel, treasurer of the exchequer, paid to Chaceporc's successor, Artaud de Saint-Romain, £2568 : 19 : 0 as Chaceporc's "remnant," *i.e.* balance; *Pipe, 39 Hen. III.* No. 99, m. 15 d.

partial freedom from responsibility as regards one section of his department and the services of a much larger staff. We have sketched already the beginnings within the wardrobe of a separate department for stores. This we may now venture to call "the great wardrobe," since it was in February 1253 put, under that name, into the custody of Roger de Ros, William's successor as king's tailor, with instructions to account for it directly to the exchequer.[1] It was, therefore, as responsible head of an independent branch of the wardrobe, owing neither obedience nor accountability to its official head, that Roger the tailor accompanied the king abroad. His staff seems to have been almost separate from that which acted immediately under Peter Chaceporc. Among them was not only Roger's own clerk, Robert Linton,[2] but a king's clerk named Bonacius Lombardus, or Lombardi, who was now joint "buyer" with Roger, and generally acted as his *locum tenens* during his frequent absences.[3] With Roger and Bonacius was often associated the well-known wardrobe clerk, Aubrey of Fécamp, who, constantly acting with Chaceporc in general wardrobe work, formed a link between the autonomous great wardrobe and the general office.[4] Other occasional helpers to Roger might also be called in. Such were William of Axmouth, king's clerk,[5] Peter of Gannoc, king's clerk,[6] and Eustace Heyrour.[7] On one occasion when Robert

[1] *C.R. 37 Hen. III.* m. 18d. See for further details, the Chapter on the great wardrobe in the later instalment of this work. This is the first time that I have noticed the term "great wardrobe" in the records.

[2] Before Robert's time Roger had a clerk named John, as early as 1243; *C.R. 1242–7*, p. 15.

[3] Bonacius Lombardus, or Lombardi, was acting as Roger's lieutenant from August 10, 1254; *R.G.* i. 419, to Sept. 27; *ib.* i. 430, and probably longer.

[4] A characteristic "great wardrobe" mandate for the livery of robes in *ib.* i. 377 is addressed to A. de Fécamp, Roger the tailor, and Bonacius Lombardus. It represents a large number of similar type.

[5] *Ib.* i. 437. He was "custos ingeniorum," *i.e.* of the siege machines, ballistae, etc. The custody of arms and warlike apparatus already belonged to the wardrobe.

[6] *Ib.* i. 433. Gannoc is of course Deganwy, the outpost of the English in North Wales on the right bank of the Conway. Peter was "superior custos elephantis regis," no doubt the elephant given to Henry by St. Louis; *ib.* i. 435.

[7] *Ib.* i. 433. The names came from a mandate of Oct. 16, 1254, addressed to Peter of Gannoc, Robert of Linton and Eustace Heyrour to take "residuum garderobe regis quod remansit in custodia seruientis Rogeri scissoris apud Baionam, ut sine dilacione deliberari faciant ducendum cum festinacione die nocteque per mare et per terram in galea regis quo rex eis iniunxit": *ib.* i. 434, shows that England was the destination.

Linton was absent, the constable of Bordeaux himself was called upon to help Bonacius in making liveries of cloth and other commodities, until Linton came back to Bordeaux.[1]

This points to another interesting development. Chaceporc and his wardrobe still followed the court in its constant wanderings; for even when special buildings were erected for wardrobe purposes they were only required when the king arrived.[2] On the other hand, the wardrobe of Roger and of Bonacius showed a tendency to settle down at fixed centres.[3] Its general home seems to have been in a tower at Bordeaux, but it also had a branch at Bayonne.[4] These two establishments were brought together again when the king and his court were preparing to quit Gascony on their homeward journey. We know even the name of the ship that took the wardrobe of stores home to England. It was the *Nicholas* of Winchelsea, whose master, Luke Colram, bargained on October 30 to take back safely the wardrobe of the king and queen as far as London Bridge.[5] Though the thing taken home from Gascony by Colram is simply called the wardrobe, there is no reasonable doubt that it was the wardrobe of stores, with perhaps the more bulky robes and records, under Chaceporc's keeping. The directions for their transport were given to Bonacius and Roger and not to Chaceporc; there was a preliminary junction of the Bordeaux and Bayonne

[1] *R.G.* i. 434. Clearly Bonacius was in charge as Roger's *locum tenens*, and had Linton's help until the latter was sent to look after the "residuum garderobe" at Bayonne; *ib.* i. 433. On Oct. 16, 1254, John le Parker and the bailiffs of the Landes were directed to help Peter of Gannoc and his *socii* at Bayonne; *ib.* i. 531. On Sept. 3, Roger the tailor and William of Axmouth were ordered "quod garderoba regis poni facerent in turrem illam apud Burdegalam ubi fuit alias quando fuit in partibus illis"; *ib.* i. 437.

[2] This is well illustrated by a writ of June 24, 1246, ordering Edward, son of Odo, to spend a sum not exceeding £100 in erecting a new "camera priuata in garderoba nostra," the reason being "quia camera priuata de garderoba nostra London, in loco indebito et inhonesto sita est eo quod male fetet"; *C.R., 1242–7*, p. 435. The rebuilding is to be complete before the translation of St. Edward, when Henry was to arrive at Westminster.

[3] *R.G.* i. 417. A mandate to Roger and Bonacius to keep all the cloth, silk and furs "quas habetis in custodia vestra *citra mare*," suggests both a further storehouse in England and also a transference to Edward's wardrobe, which may be connected in the later "duke's wardrobe" at Bordeaux. See as to this later, in Vol. III.

[4] *Ib.* i. p. 433.

[5] *C.P.R., 1247–58*, p. 379. Thirty marks were to be paid down, and twenty after the ship put into port. Colram took the wardrobe to Witsand only; *R.G.* i. 434, whence Aubrey of Fécamp subsequently took it to Dover; *ib.* i. 436

offices before the final start. We know also that Chaceporc and his immediate subordinates accompanied the king through France by land. The detailed history of the great wardrobe must be dealt with later, but there is a good excuse for anticipating briefly what will afterwards have to be developed. This is the extreme difficulty at this stage of determining which of the entries in the records really deal with the great wardrobe. That useful name is still very rarely used. When a distinction between the two wardrobes was thought necessary, it was generally regarded as sufficient to speak of the more specialised office as "the wardrobe in the custody of Roger the tailor." Most often, however, no effort at distinction was made, and we are left to guess from the person to whom the writ was addressed, or from the business with which it was concerned, which of the two wardrobes was intended.

Though Chaceporc still made liveries of great wardrobe commodities, he was now for the most part able to delegate to others the "buying," "taking" and "delivering" of the king's stores.[1] Nevertheless his occupations remained varied and numerous. We have seen his anxious work as the minister of the king's finances beyond sea. He was also the active manager of the royal household in conjunction with the stewards, Ralph Fitznicholas and Robert Walerand.[2] Moreover, administrative and political work was increasingly thrown upon the wardrobe, since in 1253–4 the chancellor, the great seal and most of the chancery clerks stayed behind in England,[3] so that the wardrobe in Gascony had to some extent to be the king's chancery as well as his exchequer. But to this subject we must recur later. We

[1] *R.G.* i. 365, 366-367, shows him, for instance, giving robes of russet to the valets "qui jacent in camera regis"; *ib.* and delivering robes and shoes to the Dominicans of Bordeaux and robes to the Franciscans there.

[2] *Ib.* i. 538, 541. Fitznicholas, dismissed on Nov. 1236, through the attacks of Peter des Roches (*Tewkesbury Ann.* p. 102; Mat. Par. *C.M.* iii. 363-364), was restored to favour in 1242 (*ib.* iv. 191, 213) and was acting as late as 1254 (*R.G.* i. 538). He took the cross in 1250; Mat. Par. *C.M.* v. 101. The seneschals of Gascony were of course in a different category from these household stewards who attended the court from England.

[3] *R.G.* i. 377 shows that some "seruientes cancellarie" were in Gascony. Clerks were needed to draw up the Gascon roll, to keep the "seal used in Gascony," etc. The two Winghams, the keepers of that seal, were chancery clerks. Henry Wingham kept the seal until the Friday before June 24, 1254, and Hugh Wingham on July 10; *ib.* i. 413, 415. "Hugh" may be a slip for "Henry."

should also note here that the wardrobe work in England was still, as in 1242–3, done by the exchequer, which bought and took cloth, furs, and the like, for the king's use, and made liveries of its buyings and takings, as directed by the king or the regents.[1] When Henry's return was imminent, urgent directions were sent from Gascony that ample stores should be collected, so that scandal might be avoided by the king appearing in adequate state on his return.[2] In short, there is evidence that Henry's policy now tended to confuse exchequer and wardrobe just as much as it was to confuse wardrobe and chancery. Perhaps it is significant in relation to the former policy that Peter of Rivaux was, since June 1253, acting as a baron of the exchequer,[3] and that the exchequer seal was used in England in place of the great seal.

Apart from the staff of Roger de Ros, Chaceporc's immediate assistants were now becoming numerous. Some of his earlier helpers had already left the wardrobe, such as the Poitevin William du Plessis.[4] Along with the stewards of the household, the wardrobe clerks, of course including their chiefs, formed now a little household council, which the king consulted on problems of administration.[5] Up to September 1254, the keeper had the help of his personal clerk, Master John Chishull, or Chishall, who at that date was sent back to England to carry out the assignment of the revenues of certain vacant churches and the issues of the Jewry, as security to a group of Bordeaux merchants who had lent five thousand marks to the king.[6] With

[1] See, for instance, the mandates to the exchequer in *R.G.* i. 404, 426-427, 428-429, 430, 435.

[2] These orders were carried out by patents attested by the regent, Richard of Cornwall, who sent officers to make prises to the fairs at Northampton and Bury; *C.P.R., 1247–58*, pp. 391–392. Among them was Richard of Ewell, for whom see p. 314 later.

[3] He was appointed during pleasure on June 16, 1253; *C.R. 37 Hen. II.* in Dugdale, *Origines Juridicales, Chron. Series*, p. 15.

[4] Du Plessis was one of Henry's foreign clerks in 1240; *C.R., 1237–42*, p. 176. He was appointed to the custody of the chamber on Jan. 11, 1249; *C.P.R., 1247–58*, p. 35, and was acting as clerk of the wardrobe in 1250; *ib.* p. 67.

[5] *R.G.* i. 531, a royal grant to a minor under the king's ward "de consilio senescalli et clericorum garderobe."

[6] *R.G.* i. 548-549; *C.P.R., 1247–58*, p. 539. For Chishull's subsequent career at the exchequer, where he was successively baron, chancellor and treasurer; for his two chancellorships of the great seal, in 1263–5, and in 1268–9, and finally for his work as bishop of London, 1274–80, see my article on him in

Chaceporc also was Artaud of Saint-Romain, afterwards his successor, who divided his energies between the two wardrobes. It is not unlikely that Artaud was acting as Chaceporc's controller, though there is no definite evidence of that fact. Artaud also, as we have seen, was sent back to England, about the same time as Chishull, to press on the exchequer the need of immediate relief for Henry's necessities.[1]

The withdrawal of Chishull and Artaud gave the first place among Chaceporc's subordinate wardrobe clerks to Aubrey of Fécamp and Peter of Winchester. Another wardrobe clerk was Richard le Rus, or Rufus, who acted with Aubrey and Peter in paying, or rather in postponing paying, the wages of one of Henry's Gascon captains.[2] Thomas of Winchester, probably Peter's brother, also wardrobe clerk up to 1250, was in Gascony also and had at least had wardrobe experience.[3] During Henry's journey homewards, most wardrobe business, including the negotiation of loans, seems to have been jointly transacted by Aubrey and Peter,[4] whose dual action reminds us of the joint control of the wardrobe by two clerks in the days of Walter of Kirkham and Walter of Brackley. It is not unlikely that Chaceporc was by this time already incapable of transacting business, and that Aubrey, who is always mentioned first of the two, may have been appointed *locum tenens*, or even temporary keeper, in his place. Certainly at Paris on December 6, and again at Boulogne soon after December 21, he is called in the records

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the *D.N.B.*, corrected by Miss L. B. Dibben in *E.H.R.* xxvii. 49, and as above. It is another instance of a distinguished career beginning in the wardrobe and of a transfer from the wardrobe to the exchequer. That he was also twice chancellor is characteristic of the inter-relation of the chancery and these offices at this period.

[1] See above, p. 272.

[2] *C.P.R., 1247–58*, p. 510, proves Richard le Rus was a wardrobe clerk. Various Gascon rolls entries had made it probable.

[3] He is last recorded as acting in 1250, *ib.* pp. 67-68. But see also previous note.

[4] For examples, *ib.* pp. 383, 388. Aubrey became clerk of the wardrobe towards the end of the period 1245–52. See Chaceporc's last account in *Pipe, 35 Hen. III.* m. 7, "Et de cciiij *li.* xv *s.* ij *d.* de denariis receptis de warderoba, postquam Albericus de Fiscampo fuit clericus in warderoba sub Petro Chaceporc, et postea liberatis ad pacacionem hospicii faciendam de tempore quo Thomas de Wintonia fuit clericus eiusdem Petri in eadem garderoba." Apparently Aubrey began as Chaceporc's clerk, like Chishull, and in succession to Thomas of Winchester. Both Aubrey and Peter of Winchester received protections in June 1253, as about to go abroad with the king; *C.P.R., 1247–58*, p. 232.

"keeper of the wardrobe."[1] After Chaceporc's death on December 24 at Boulogne, it seems likely that Aubrey and Peter remained in charge until Chaceporc's successor entered into office on January 10, 1255. It may possibly be that this only refers to Aubrey's connection with the great wardrobe, and that he is called keeper merely in the sense in which lay "buyers," such as Roger the Tailor, and the great wardrobe clerk, Hugh of the Tower, were at this period similarly so styled.[2] However, his association with the great wardrobe does not seem to have survived the physical separation of the two wardrobes when the king left Bordeaux in the autumn, and I have little doubt but that Aubrey's title of "keeper" refers to its temporary custody. The impression is strengthened by the fact that he became controller when the king appointed a definite successor to Chaceporc. Meanwhile, Aubrey as keeper was responsible for transporting the wardrobe and the followers of the king in ten ships from Witsand to Dover after they had made some stay at Witsand through lack of ships.[3]

On December 29, 1254, Henry III. reached Dover, and on the same day began once more to attest royal writs at Canterbury.[4] On St. Edward's day, January 5, 1255, he was back again in London, receiving the resignation of the great seal from William of Kilkenny, the chancellor during his absence, now bishop-elect of Ely.[5] From this point onward the regular administrative machinery was resumed. One of the king's first acts was to appoint Artaud de Saint-Romain as keeper of the wardrobe. The new keeper began to account on January 10, and from that date Aubrey of Fécamp kept his counter-roll.

The new keeper is variously described as a Provençal and a Burgundian.[6] He thus came from the same region as queen

[1] The first of these is in *C.P.R., 1247–58*, p. 386, which records Aubrey as receiving at Paris on December 6, 1254, 4000 marks from the exchequer. The second is in *R.G.* i. 436, and is dated Dec. 21. Both mentions are before Chaceporc's death.

[2] See later, pp. 310, 312, and the chapter on the great wardrobe.

[3] *R.G.* i. 436. This was after December 21.

[4] *C.P.R., 1247–58*, p. 392. [5] *Ib.* p. 393.

[6] "Quidam Provincialis"; *Ann. Dunstaple*, p. 194. "Natione Burgundus"; Mat. Par. *C.M.* v. 298. Of the many Saint-Romains in the Rhone valley, he is most probably associated with one or the other of the two places of that name in the modern department of the Isère. These are (1) Saint-

Eleanor, and belonged to the numerous group of foreign clerks who had, since 1240, been attached to the king's service. Little is said of his character, and even his work as a king's clerk cannot be traced in much detail. Apart from what has been already mentioned, the most interesting thing in his early history is the fact that his appointment by the king in about 1252 to the rich living of Flamstead, near St. Albans, in opposition to one of the queen's chaplains, nominated by Eleanor, who was guardian of the infant patron of the benefice, produced the only recorded discord between Henry III. and his consort. At last the diocesan, bishop Grosseteste of Lincoln, finding that the foreigner obstinately remained in possession of the cure, excommunicated Artaud and put the church under an interdict.[1] Soon afterwards, Artaud appeared as dean of St. Martin-le-Grand, the church whose headship seemed to belong almost by hereditary right to the clerks of the king's wardrobe.[2]

Artaud's accounts survive from January 10, 1255, to April 28, 1257, a few months before his death.[3] The gross sum of his receipts for this period of two years and a quarter amounted to the very moderate sum of £16,316 : 7 : 7, and of this only £2568 : 19s. came directly from the exchequer. The expenses exceeded the receipts by a few pounds only. It is curious that at a period when Henry's financial position was fast drifting towards ruin, the court's income and outgoings should be so modest, especially as it included some of the expenses of the ineffective Welsh campaign of September and October 1257. The explanation is probably the simple one that, now that the king was back in his own country, the burden of his payments, debts and obligations was thrown upon the exchequer, despite

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Romain-de-Julionaz, canton Crémieu, arrondissement La-Tour-du-Pin. (2) Saint-Romain-de-Surieu, canton Roussillon, arrondissement Vienne I incline to the former, which was certainly then Savoyard territory. He was already a king's clerk in 1240; *C.R., 1237–42*, p. 176.

[1] Mat. Par. *C.M.* v. 298. The St. Albans monk was specially interested because William, the queen's chaplain, had served St. Albans as chaplain of Kimble, Bucks. He was therefore his warm partisan. He quotes the king's hot word about "muliebris superbia," and says the living was worth a hundred marks a year. Paris calls Artaud "Hurtoldus," and describes him as the "king's clerk and councillor."

[2] *R.G.* i. 502 shows that he was dean of St. Martin's before Sept. 4, 1254.

[3] *Pipe, 39 Hen. III.* m. 15 d.

some efforts on Henry's part to put the wardrobe in its place.[1] There is nothing in the records that suggests any special activity of the wardrobe during Artaud's period of office. He still remained in charge for nearly six months after the period of his last account.[2] He died, we are vaguely told, "about Michaelmas,"[3] and it is likely that his death took place a little before that feast. The counter-roll to his account was, up to April, rendered by John of Sutton, *locum tenens* of Aubrey of Fécamp. Peter of Winchester is often described as "clerk of the wardrobe" during this time.[4] It is characteristic of the confusion of the stormy period that followed Artaud's decease that his "remnant" was only finally accounted for eight years later.[5]

The long period of foreign domination in the wardrobe ended, as it began, with Peter de Rivaux, who now succeeded Artaud de Saint-Romain. Nearly fifty-five years had elapsed since the veteran's name first appeared as a holder of benefices, and nearly twenty-three since he had fallen from the giddy height which he had attained in the heyday of the power of Peter des Roches. His disgrace had indeed been of brief duration. Within a few

[1] See, for instance, the order to Peter of Montfort, keeper of the shires of Stafford and Salop and of the march of Wales about Montgomery, "that in his first year he pay nothing at the exchequer or render any account, and that at the end of that year he render his account in the wardrobe"; *C.P.R., 1247–58*, p. 580. This increase of receipts may have been indirectly the result of the Welsh campaign.

[2] The last recorded date of his acting in the patent roll is August 26, 1258; *C.P.R., 1247–58*, p. 649. On July 20 he received £1333 : 6 : 8 from a goldsmith, an advance or loan, "to do therewith as the king had enjoined him"; *ib.* p. 570. Some of his benefices were filled up on October 22 and 24; *ib.* p. 583.

[3] Mat. Par. *C.M.* v. 655, "circa festum sancti Michaelis."

[4] *C.P.R., 1247–58*, pp. 558, 559, 568. His name is constantly connected with the receipt of charters and documents for safe custody. Aubrey and Peter still often act together; *e.g. Excerpta e Rotulis Finium*, ii. 326. In *ib.* ii. 252, Peter of Winchester is also "clericus Artaldi de sancto Romano," apparently on or after September 29, 1257. This may suggest Peter acting for Artaud on his death-bed. The fine referred to was only due on September 29. The next entry shows that a fine of that date was received by Peter of Rivaux. An entry in Aubrey of Fécamp and Peter of Winchester's account, *Enr. Accts.* (*W. & H.*) No. 1, m. 1, further illustrates this connection, "per breue regis in quo continetur quod thesaurarius et ceteri barones de scaccario allocent Petro de Wintonia, clerico garderobe regis, in compoto suo de eadem garderoba omnes soluciones, liberaciones, et pacaciones contentas in rotulis Alberici de Fiscampo, quondam clerici regis ejusdem."

[5] Sandwich's account for Jan.–Aug. 1265 includes the remnant of Artaud, received from brother Henry, prior of St. Radegund's, then treasurer of the exchequer. It amounted to £1281 : 19s., *Pipe, 54 Hen. III.* No. 114, m. 19 d.

months of his retreat to sanctuary in his father's cathedral, he was receiving safe conduct to attend the king to "make fine for having the king's grace or to render his account."[1] Next year he was again at court, holding interviews with Henry and free to go where he would, provided that he kept away from his own estates and the seaports.[2] After two years of parleying, he was on January 2, 1236, banished "because," declared the king, "we are unwilling that you should remain any longer under our safe conduct in our realm."[3] After this it is startling to find, four months later, that the king had "remitted his rancour" against Peter and again admitted him to his protection.[4] Next year he was engaged beyond seas, apparently on his own affairs; but was required to hurry back to discharge confidential king's business.[5] Nevertheless the statement, made in many modern writers, that he was soon restored to the keepership of the wardrobe, seems to have no historical foundation.[6] For some years he flits occasionally across the records as the recipient of minor marks of royal favour,[7] or as dean of Bridgnorth.[8] It may be that he had more private influence than official status, but it is more likely that he lost his chief hold on power after Peter des Roches' death in 1238, and that his personal incapacity was too complete to make him able to stand alone, or to take the lead. Gradually, however, the old man won his way back to higher positions. In 1250 he was twice temporary keeper of the great seal,[9] an office

[1] *C.P.R., 1232–47*, p. 74 (Oct. 18, 1234).

[2] *Ib.* p. 103, "preterquam ad redditus suos."

[3] *C.R., 1234–37*, p. 332. The penalty for remaining in England was his immediate proclamation as an outlaw in the full county courts of Hampshire, Warwick and Leicester.

[4] *C.P.R., 1232–47*, p. 145. (The date is May 4.) Compare *Ann. Dunstaple*, p. 144. This was the time when Segrave and Passelewe were also restored, and Ralph Fitznicholas removed from the court.

[5] *C.P.R., 1232–47*, p. 186. It looks as if it were his own and not the king's business. But Henry required his return by Nov. 3, "to do what he shall have to do touching those things which the king shall wish to speak to him." "Erga eum" can hardly mean "against him," as the calendar says.

[6] It is made among others by Prof. Pollard in the *D.N.B.* in his article on Rivaux, Peter de; and by myself in *Political History of England 1216–1377*, p. 55. The source of the error seems to be Foss, whose account of Rivaux is not satisfactory.

[7] *C.R., 1237–42*, p. 65; *C.P.R., 1232–47*, p. 423; *ib., 1247–58*, pp. 101, 128, 151, 198, 537.

[8] *Ib., 1232–47*, p. 495.

[9] *C.R. 34 Hen. III.* mm. 15 and 12. I owe this reference to Miss Dibben.

that might well suggest a renewed connection with the wardrobe, for which, however, there seems no direct evidence. A veil of oblivion was finally drawn over his earlier misdeeds when in 1251 he was finally made "quit of all debts, accounts, and reckonings to the king," from the time of his first custody of the wardrobe until that date.[1] Then he became, in 1253, baron of the exchequer, where he continued to hold a subordinate post where he had once been an autocrat. There is some evidence, however, that he was again receiving payments in the wardrobe early in 1257, while Artaud was still alive,[2] so that he was back to his old office before he was once more summoned, a foreigner to succeed a foreigner,[3] to be keeper of the wardrobe for the third and last time.

Peter de Rivaux' final custody of the wardrobe lasted from Michaelmas 1257 to June 1258. After his fashion he produced no accounts, and we have therefore very little information as to the nature of his activity. The issue rolls suggest that his receipts were not abnormal in amount,[4] and his recorded acts in his office are of a curiously trivial character.[5] It is possible that under him the wardrobe was unusually active in general political business, and certainly at no time was it more conspicuously a place of deposit for archives surrendered to it from the chancery "for safe keeping," or for current needs.[6] That Peter was still an object of suspicion is shown by his removal from office being one of the first results of the Provisions of Oxford.[7] His successor began to account on July 8, 1258, so that we may feel certain that Peter's removal took place by July 7. The Mad

[1] *C.P.R., 1247–58*, p. 86.

[2] *Excerpta e Rot. Fin.* ii. 245 and 250 record his receiving trifling fines due in the wardrobe in Jan. 1257 and Whitsuntide 1257 respectively. But of course the payments may not have been actually made until after Michaelmas.

[3] Mat. Par. *C.M.* v. 655, "alienigena alienigene."

[4] Devon's *Issues of the Exchequer, Hen. III. to Hen. VI.*, pp. 39-40, record in Easter term 1258 two payments to Rivaux of 2000 m. and £100, for the expenses of the king's household.

[5] The Fine Rolls of the period only note the receipt of quite insignificant fines by him; *Excerpta e Rot. Fin.* ii. 252, 268, 271, 275, and a grant, p. 278, of a "placia" at Winchester.

[6] *C.P.R., 1247–58*, pp. 568, 636, 661.

[7] *Exch. Enr. Accts. L.T.R.* 1/1. The accounts of Aubrey de Fécamp and Peter of Winchester include among their receipts, "Et de clxxiij *li.* iiij *s.* ij *d.* et *ob.* de denariis regis quos Petrus de Riuallis dimisit in garderoba *quando amotus fuit ab officio garderobe per prouisionem baronum.*"

Parliament had met on June 11; the Lusignans and the alien favourites surrendered at Winchester on July 5. As soon as these were out of the way, Peter of Rivaux lost power for ever, leaving a despicable balance on his retreat. It is a proof of his insignificance, or at least of the insignificance into which he had fallen, that no contemporary annalist seems to have recorded his fall. He was suffered, apparently, to go on living in England in the houses which belonged to him as canon of St. Paul's. When Henry began to reject the barons' advice, Peter was again employed on court business, receiving on July 20, 1261, letters of protection on taking Beatrice, the king's daughter, to Brittany,[1] on her marriage with the count. He died before January 10, 1263.[2] With him ended the alien domination in the wardrobe for which he had stood during all his long official career.

[1] *C.P.R., 1258–66*, p. 170.

[2] *Ib.* p. 238. A grant of his houses in the close to another canon, Ralph de Dunion, for whom see above, p. 256. Dunion was keeper of the lord Edward's wardrobe.

SECTION V

The Place of the Privy Seal in the Administrative System, 1234–1258

Now we are at a turning-point in general history, which is also a turning-point in the history of the wardrobe, it will be convenient to put together what can be learnt as to an aspect of our subject that I have, so far as possible, avoided dealing with in the chronological narrative. I mean the general position of the wardrobe in Henry III.'s scheme of government and its relations to the other branches of the administration during the period 1234–58. Included in this must be the scanty history of the small and privy seals during those years.

One great feature in the administrative history of these five-and-twenty years is the beginnings of the chancery as a separate office. There will be no need to elaborate this point, since Miss Dibben is preparing to deal with it in detail,[1] but the leading features of the process are too vital to our subject to be omitted. We have already traced the chancery up to the stage when it was in the hands of magnate chancellors nominated for life. Things went on on these lines until 1238, when Ralph Neville, the last of the old series of great baronial chancellors, was deliberately pushed into the background.[2] As he had been appointed for life, Neville could not be compelled to give up the title and emoluments of office, though force and trickery compelled his surrender of the custody of the seal. However, he gradually became reconciled to the king, and once more kept the seal from 1242, if not earlier, until his death in 1244. It has generally been held that, after the death of Neville, Henry III., following the example of Philip Augustus, dispensed with the office of chancellor, and put the

[1] I am greatly indebted to Miss Dibben not only for the light afforded by her article on the "chancellors and keepers of the great seal under Hen. III.," in *E.H.R.* xxvii. pp. 39-51, but even more for access to the large mass of material which she has collected on the history of the chancery. See also pp. 187 and 287.

[2] *Tewkesbury Annals*, p. 110; Mat. Par. *C.M.* iii. 495. See also above, p. 250.

great seal in the hands of a series of temporary keepers of inferior status. This doctrine has, I think, been overthrown by Miss Dibben, who has shown that between 1244 and 1258 there was almost an unbroken succession of chancellors.

A nucleus of truth, out of which the old theory had grown, still remains. All over Europe there was a real tendency for princes to protect themselves from baronial ministers likely to control their policy by relying on men of humbler social status, lesser dignity and greater dependence on their master. Not only did the kings of France keep vacant the office of chancellor for forty years under Philip II. and after 1227 for nearly a century. Alfonse of Poitiers showed the same reluctance to rule Poitou and Toulouse through great officers of state,[1] as his brother and his brother-in-law manifested in their government of France and England. A similar fear of the magnate cardinals caused the permanent suppression of the office of chancellor of the Roman curia after the pontificate of Innocent III. But the suppression in each case of the office of chancellor was perhaps an important condition of the enormous development of the chancery as a department of government.

Henry III., though strong enough not to be afraid of the name of chancellor, had a decided aversion to the name continuing to bear its old connotation. None of the numerous chancellors of his later years had the position and dignity of the series which ends with Neville, and all of them were household officers in the rigid sense of being strict dependants of the court. The baronage was quick to see that a chancellor of great official dignity, high ecclesiastical position and aristocratic sympathies was a real check on the crown. Accordingly, when Neville died in 1244 the magnates clamoured for the appointment of a new chancellor, who was to keep the seal in his sole custody, was never to leave the court, and was to be chosen with their assent. Henry yielded to the letter but not to the spirit of these demands. He gave the nation plenty of chancellors, but took good care to keep them under his thumb. The result was that, in 1248, the barons changed their cry. They now complained that the offices of state, including the chancery, were held by unworthy dependants

[1] See A. Molinier's Introduction to *Correspondance administrative d'Alfonse de Poitiers*, ii. lvi.

of the crown, and Henry strove to pacify them by promising to strengthen the position of these inadequate functionaries by making their term of office permanent. Whether the pledge of permanence pleased the barons in 1248, we do not know. It is significant that ten years later, in 1258, the baronial policy almost involved the appointment of chancellors year by year, like the sheriffs. This shows that, whatever the king promised, he persevered in his old policy.

Henry's motives in selecting the inconspicuous chancellors of these years are absolutely patent. He wished to rule, as has often been pointed out, by clerks and subordinates, amenable to his pleasure and unable to hold their own against him. His method of effecting this was by harking back to the good old days when every minister of the crown was a minister of the household, a royal domestic in fact as well as in name. Henry would have no more chancellors for life, making for themselves what profit they could out of the issues of the seal. The chancery must now be "taken into the king's hands." The issues of the seal must be dealt with and accounted for like any other royal revenue. As a result of this the hanaper department began in this very year 1244, and was rapidly established in its permanent shape. The keeper of the hanaper received the fees of the seal, paid the expenses of the chancery organisation, and presented the accounts of his administration for review. It is of special importance to us that the hanaper accounts of the "issues of the seal" were tendered into the wardrobe and not into the exchequer. Accordingly, the "issues of the seal" figured as a regular item annexed to all wardrobe accounts.[1] The hanaper, moreover, helped towards a process now very clearly emphasised in the chancery rolls, namely, the differentiation of the "clerks of the chancery" from the "clerks of the chapel."[2] It made it necessary to provide the chancery with a distinct staff of clerks of its own, whose relation to the court was comparatively slight. Such a result was, however, accidental. There was, for the

[1] For instance, the "exitus sigilli" already appears in the accounts of Aubrey of Fécamp and Peter of Winchester for the period 1258–61; *Enr. Accts.* (*W. and H.*), No. 1, m. 1.

[2] See above, Chapter V. Section I. pp. 182-183, 186, n. 1. We first discover a *hospicium clericorum de cancellaria*, that is, an organised residential office, at the end of 1244, just after Ralph Neville's death.

moment, no more need to weaken the power of the head of the chancery by deliberately strengthening the position of his subordinates.

In other ways also Henry's new arrangements for the chancery counteracted the slight tendency towards departmental independence involved in them. The inconspicuous wardrobe clerk was perhaps Henry's ideal of a useful civil servant. It seems to have soon become a deliberate matter of policy with him to bring the chancery into close relations with the wardrobe. The "public chancery" was from Henry's point of view becoming dangerously distinct from the "private chancery" of the wardrobe. For the rest of his reign he strove to assimilate the chancery to the wardrobe.

The great seal was now "kept" for long periods together "in the wardrobe," and that not so much, as in later times, for safe custody during a chancellor's absence, but in order that it might be used there for sealing. This practice began with 1238. On August 28 of that year Ralph Neville "surrendered to the king at Winchester the king's seal by his own hand and by the king's order,"[1] being tricked into this by the hope that Henry would be induced by his submissiveness to allow him to become Peter des Roches' successor as bishop of Winchester. A significant note in a schedule to the patent roll of that year records how certain writs "were made at Woodstock in the king's wardrobe, the clerks of the chancery not knowing of them, because they were made there against the chancellor."[2] The roll thus irregularly compiled was afterwards surrendered to the chancery officials, and so the writs in question found their place in the patent roll. But it is significant that for a time the chancery clerks remained with the chancellor, and that the king's first impulse on receiving the seal was to entrust the writing for it to clerks of his wardrobe. Moreover, Miss Dibben[3] has advanced reasons for the conjecture that both William de

[1] *C.P.R., 1232–47*, p. 231. Compare above, pp. 187, 284, and below, p. 290.

[2] *Ib.* p. 232. It is not clear from the calendar what those writs were; but writs "made at Woodstock" are enrolled between August 31 and September 9.

[3] *E.H.R.* xxvii. p. 42. This view makes intelligible the story in Mat. Par. *C.M.* iii. 629, that connects the fall of brother Geoffrey in February 1240 with that of Simon the Norman at Easter, the reason being their refusal to take any share in a grant of an export duty on wool sent to Flanders. See above, p. 251.

Cantilupe, a knight and steward of the household, and the keeper of the wardrobe, brother Geoffrey, were possibly in charge of the seal between 1238 and the keepership of Master Simon the Norman. If this be hypothesis, we know that, in the years following Neville's death, there is frequent evidence of the close connection of the great seal and the wardrobe. Thus, on March 18, 1246, Silvester of Everden, archdeacon of Chester, "received the king's seal from the king's wardrobe";[1] but, as Silvester had already kept the seal, this may only be an instance of temporary deposit. Much more significant was the close relation of the keepers of the seal of the next few years with wardrobe or court appointments. In Miss Dibben's careful list of the "chancellors or permanent keepers" of these years, we find names such as John of Lexinton, knight, then steward of the household. It is perhaps going too far to regard him as "first lay keeper of the seal," but he is of some importance as holding the seal for considerable periods as an incident of court office.[2] Lexinton was also a real keeper, who used the seal for sealing, and he must not be confused with later court officers who kept the seal in a bag for safe custody.[3] Moreover, when Lexinton was away from court in 1250, the seal was twice in the hands of William of Kilkenny, then controller of the wardrobe, and of Peter of Rivaux, who was probably, therefore, again working in the wardrobe. Next year Kilkenny, still controller, was called *portitor sigilli*, and, when he was ill, Peter Chaceporc, his official superior as keeper of the wardrobe, and Lexinton, still, as steward, head of the king's household, kept the seal for him. During Henry's absence in Gascony, 1253–4, Kilkenny remained in England and kept the exchequer seal,[4] which, during the king's journey beyond sea, was appointed to be used instead of the great seal. The rest of the wardrobe staff followed Henry to Aquitaine. It is unlikely, therefore, that Kilkenny was during this time a wardrobe official, though he was controller at least up to October 27, 1252, and we do not

[1] *C. Ch. R.* i. 291.

[2] For Lexinton, see Mat. Par. *C.M.* v. 384, "vir magnae sanctitatis et scientiae." He was an example of a rare type of this period, the "miles literatus." The village in Nottinghamshire from which he took his surname is now called Laxton.

[3] *E.H.R.*, xxvii. 45.

[4] *C.P.R., 1247–58*, p. 210.

know the name of any other controller until after the king was back in England. Anyhow, Kilkenny kept the seal continuously from 1250 or 1251 to 1255, though the seal he held, when Henry was in Gascony, was the exchequer seal. If Matthew Paris refused to give Kilkenny the title of chancellor, he was equally circumspect with the other inglorious chancellors of the period 1244 to 1258. The records were less squeamish in bestowing the title, though with an infrequency that has encouraged modern scholars to base on Matthew's partisan reticence the theory of the abeyance of the chancellor's office. This is not a point, however, that concerns us directly. It is enough to have put together the scanty and detached pieces of evidence which, unsatisfactory though they be, show that during these years the chancery and the wardrobe were in closer relation than in any other period of their history.

The curious rarity of references to the privy seal during the period 1234–1258 confirms the impression as to the confused relations of wardrobe and chancery at this time. How inconspicuous the privy seal was in the middle part of Henry III.'s reign is shown from the fact that there are only two direct references to it in the patent rolls for the whole of these twenty-five years. The more important of these, which deals with the sealing arrangements during the king's absence in 1242–3, has been already mentioned and must soon be discussed again.[1] The other is an ordinary patent, dated July 1238, authorising the election of an abbot of Thorney. To the enrolment of this is annexed the note that this writ was warranted "by letters sealed with the king's privy seal."[2] This single example of the continuance of an earlier practice is adequate to show its survival, the more so as the close rolls add a little to the evidence of its employment, notably in an instance of the same day as the Thorney writ.[3] Moreover, in emphasising the rarity of these

[1] See above, p. 270, and below, pp. 291-292. He is sometimes, but rarely, called chancellor; *Eng. Hist. Rev.* xxvii. 46-47.

[2] *C.P.R., 1232–47*, p. 226.

[3] In the *C.R., 1234–37*, I can find no reference to the privy seal at all. In *ib., 1237–42*, p. 76, an unimportant writ "de damis datis" of July 17, 1238, is issued "teste rege per litteras sigillatas priuato sigillo suo." It is curious that both this and the patent roll instance should be of the same date. In *ib., 1242–7*, I have also failed to find any mention of the privy seal. The great seal is still always "sigillum regis," as if the king had no other seal.

references, we must not forget the accidental character of all mention on the chancery rolls of so alien an instrument as the privy seal. But we have already seen reasons why Henry III. had no occasion at this stage to make much use of the privy seal, since he had the great seal itself sufficiently under his control to make otiose the employment of the lesser instrument.

A little more than a month after we have twofold evidence of the continued use of the privy seal, came the surrender by Neville of the great seal into the king's hands on August 28, 1238. This made it easy for Henry to dispense with the formality of the privy seal warrant, since he could now directly order the wardrobe clerks, holding the great seal, to prepare whatever writs he desired. A crop of writs issued from the wardrobe early in September,[1] were certainly authenticated by the great seal, though, as we have seen, the clerks of the chancery knew nothing about them, and the roll of them was only surrendered later into their hands. At an earlier, or at a later, date they would certainly have been writs of privy seal. Thus the privy seal became insignificant by reason of the straight custody of the great seal by wardrobe officers and chancellors who were dependents on the monarch. Before leaving this point, we should, however, notice another variant to " small " and " privy," which first seems to occur in the public records on November 18, 1234. On that date the king issued a mandate to the treasurer of the New Temple to deliver to Hubert de Burgh, by this time recovered from the worst of his troubles, " the charters and muniments of the same Hubert which the king had committed to the Templars' custody in divers boxes, under the secret seal."[2] We will deal with the probable significance of this phrase, " secret seal," at a later stage ; but it is most unlikely at this period that it was anything other than the privy seal.

The most significant indication of the continued value of the privy seal in the middle and latter parts of Henry III.'s reign is,

[1] *C.P.R., 1232–47*, p. 232 ; *ib.* p. 231 proves that the great seal had a few days before been surrendered by Neville into the king's own hand.

[2] *C.P.R., 1232–47*, p. 81. Among the valuables deposited in the treasury of the wardrobe in Westminster Abbey was the " sigillum secretum domini Henrici regis, patris regis Edwardi." It was stolen in the great robbery of April 25, 1303, and apparently never recovered ; Cole, p. 279. I feel pretty sure that this was the privy seal.

however, to be found in the arrangements made for sealing documents during the king's absence beyond sea. On May 5, 1242, Henry was about to begin the long visit to France in the course of which he saw the ruin of his Poitevin pretensions in the campaign of Taillebourg and Saintes. As in 1230, the great seal accompanied the king in his travels.[1] Moreover, as in that year, writs, that is, one imagines documents under the great seal, were to be sealed with the exchequer seal. Writs of the exchequer were, however, to be sealed "with a certain privy seal of the king with a shield of the king's arms with the circumscription of the exchequer seal."[2] Comparing this procedure with that twelve years earlier, we find that the chief difference lies in the fact that the "privy seal of the justiciar" has now been replaced by "the privy seal of the king." This strengthens the impression already suggested that the king's privy seal took the place of the seal of Hubert. It also throws valuable light on the nature of the privy seal in 1242. It is "a shield of arms" and "of the circumscription of the exchequer seal." As to the first point, it may be remarked that extant impressions show that the privy seals of Edward I. and all subsequent monarchs were "shields of arms." Henry III.'s privy seal was therefore similar in type to that of his son and successor. As to the second point, we should have more light if we knew what the "circumscription" of the exchequer seal at this period was. The term might, we imagine, signify either "circumference" or "inscription round it"; but in this case it can only mean circumference, for it is inconceivable that the exchequer seal could have had as its inscription the characteristic "secretum" of all known English privy seals. Unluckily, the earliest British Museum specimen of the exchequer seal is that of Edward I.[3] The inscription of

[1] This is proved despite the rarity of the announcements of sealing in the Gascon Roll of this period, by (1) the two references to acts sealed "sigillo nostro," an unqualified phrase suggesting the great seal, (2) the care with which the successive keepers of the "king's seal" and the frequent changes in its custody are recorded in the Gascon Roll; *R.G.* vol. i. Nos. 591, 1211; cf. Bémont's *Introduction*, in *Supplément au tome I^er.*, pp. xviii-xix.

[2] *C.P.R., 1232–47*, p. 290. It is interesting that this arrangement probably corresponds with that made by Richard I. when he went on crusade. See above, p. 118.

[3] Birch, *Catalogue of Seals in the British Museum*, vol. i. 106, No. 822, from *Ad. Ch.* No. 19,302. This is not quite complete, but gives the greater portion. The same seal is wrongly entered in *ib.* i. 20 as a "small seal."

this is wanting.[1] The diameter of the seal is 1½ inches. The diameter of Edward I.'s privy seal was, as we shall see, 25 mm., or one inch. Moreover, the exchequer seal was a two-faced seal, and pendant, like the great seal, while the privy seal was single-faced and stamped on the document.

The privy seal was brought in once more in the arrangements made for sealing during Henry III.'s long visit to Gascony from August 6, 1253, to December 29, 1254. These plans were not quite the same as those for 1230 and 1242. Henry appointed queen Eleanor regent, with Richard, earl of Cornwall, as her chief counsellor.[2] This time, however, the great seal did not accompany him on his travels. It was left in the care of the queen, but sealed up under the king's privy seal, and the seals of the earl of Cornwall and of other royal counsellors.[3] It was, and remained until Henry's return, under the custody of William of Kilkenny, but with directions that it should remain closed up till the king's return. Kilkenny also kept the working seal, which was, as in 1242, the exchequer seal, the keeper receiving mandate to use it under the name of "the seal of England."[4] Henry took with him to Gascony a seal generally called his *sigillum paruum*, and sometimes *sigillum minus*. With this he sealed the large number of acts, issued during his long stay in Aquitaine, which are printed by MM. Michel and Bémont, and calendared in the *Calendar of Patent Rolls* for the time. This small seal is clearly a special seal, made expressly for the king's use during his stay over seas. While on his voyage to Bordeaux, at a mysterious place called "Cumineys," the king first caused his "new seal" to be opened and employed.[5] It was *sigillum*

[1] The earliest complete exchequer seal in the British Museum has on the obverse the king on horseback and the king's name and titles, and on the reverse, a shield of arms, "sigillum de scaccario domini regis." It is of the reign of Henry IV.; *ib.* i. 107, No. 825. *Ad. Ch.* No. 12,651.

[2] *Foedera*, i. 291.

[3] *Ib.* i. 290; *C.P.R., 1247–58*, p. 200.

[4] *C.P.R., 1247–58*, p. 383. Under Richard of Cornwall, Kilkenny was the substantial head of the administration. Many mandates were addressed to them by the king from Gascony. It has been shown earlier that he was sometimes called chancellor.

[5] *R.G.* i. No. 2636. Henry left Portsmouth on Aug. 6, and was at Bordeaux "a little after Aug. 15; Mat. Par. *C.M.* v. 383, 388, and certainly before Aug. 20; *R.G.* i app., p. lxiv. "Cumineys" must be sought somewhere

quo utimur in Vasconia, or *sigillum quod portauimus in Vasconiam*.[1] We are fortunate in still possessing an impression of this seal. It is a double-faced seal with a design on the right side similar to that of the great seal, and is on its obverse a "shield of arms"; it is over $2\frac{3}{8}$ inches in size; it is in all respects very similar in size and pattern to the exchequer seal of Edward I.[2]

Thus the seal was different in type from the privy seal. In fact we have no information as to what happened to the privy seal during the king's absence. Still less was the seal used abroad the ordinary Gascon seal, *sigillum curie nostre Vasconie*.[3] It was rather a "seal of absence," if we may use that phrase, not in the later sense of the seal used by a regency, when the king was away, but in the inverted sense of a seal, used by the king during his sojourn abroad. As such it was technically equivalent to the great seal; and yet it was so irregular that there was a general desire to get documents sealed with it re-issued under the great seal, when occasion arose. The Gascon rolls of these years contain in several places a note that certain writs are to be resealed with the great seal.[4] They are also full of specific royal promises to confirm letters attested by it with the ordinary great seal.[5] Accordingly, this discussion as to the nature of this

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on the French coast or among the islands north of the Gironde. Henry returned to England in Jan. 1255.

[1] For instance, *R.G.* iii. No. 1895. In one case the seal was used by Peter of Aigueblanche, bishop of Hereford; *C.P.R., 1247–58*, p. 253, "who sealed these letters."

[2] *Harl. Chart.* 43, C. 39, a letter patent to J. le Bret, dated "in castris apud Benauges," Nov. 1, 1253. Compare Birch, *Cat. Seals*, i. 19.

[3] There is an excellent account of this "petit sceau réservé à l'usage de la Gascogne," by M. Bémont on p. xix of his interesting "petite étude diplomatique" of the Gascon Rolls in his appendix to *R.G.* i. xii-xxvi.

[4] "Maiori sigillo"; *ib.* i. No. 2602. Compare such entries as "afterwards this letter was made with the great seal of England"; *C.P.R., 1247–58*, p. 287. Cf. also *ib.* pp. 360, 387, and also 415, 451, 495. "Great seal" and "greater seal" are phrases used since John's time, as early, therefore, as a small seal can be proved to have had a continuous existence.

[5] "Et cum reuersi fuerimus in Anglia, easdem litteras reuocari, et maiori sigillo nostro sigillari faciemus"; *R.G.* i. No. 2134. "Litteras . . . quas cum sigillo nostro paruo quod habebamus in Vasconia fecimus roborari, cum magno sigillo nostro quod dimisimus in Angliam infra festam Pentecostes proxime futuram faciemus sigillari"; *ib.* i. No. 2602. This promise was made Feb. 11, 1254, a year in which Whitsunday was on May 31, but it was not until Jan. 1255 that Henry, returning to England, opened and used the great seal once more.

special seal may not be out of place here. It is a "small seal" though not a "privy seal."[1] We may add that it is the one type of small seal which can be demonstrably proved to be something different from the ordinary privy seal.

The case of the chancery did not stand alone. The exchequer itself was assimilated in some measure to a court office. In an earlier part of this chapter I have given illustrations of the way in which, during the king's Gascon visits of 1242–3 and 1253–4, the exchequer acted as sole treasury in England and the wardrobe as sole treasury in Gascony More recently we have noted the curious irregularity as a result of which Kilkenny, a wardrobe officer, absent from court, kept the exchequer seal when it was the equivalent of the great seal and was even sometimes called chancellor. Such facts as these tell us more than the frequent practice of elevating treasurers of the wardrobe to the treasurership of the exchequer, since this was largely a matter of promotion, and, apart from promotion, transfers of an official from one government office to another have only a personal significance, whether in the thirteenth or the twentieth century. The undertaking of wardrobe business by the exchequer during Henry's absences from England has more significance than this. Without overstressing any of these points, we may see in them additional evidence of the policy of Henry III. to make all his ministers and officers of the crown dependants, courtiers, and household servants. Why should a royal officer take up an independent line against his master? It was not so under Henry II. It was not so in the France of Henry III.'s brother-in-law, St. Louis. Foreigners were the most docile instruments of the would-be autocrat's will. It was easier to establish foreigners in the wardrobe and household than in the traditional offices of state. Had Henry had more time or strength to carry out his purpose, we should doubtless have had the foreign element as conspicuous in the chancery and the exchequer as it was in the wardrobe.

SECTION VI

The Wardrobe and the Privy Seal during the Barons' Wars, 1258–1265

Let us take up once more the history of the wardrobe after the meeting of the Mad Parliament on June 11, 1258. The revolt of the barons was against the whole system of court administration which Henry III. had so long favoured. After securing the appointment of the various councils which were to reform the realm and keep the king in bondage, the barons urgently demanded the appointment of great officers of state, justiciar, chancellor, and treasurer, who should be nominated by their counsel and consent, and be responsible to the council and to the baronage rather than to the crown. The local officers, the sheriffs, escheators, and keepers of castles were to be similarly controlled, and all posts were to be in the hands of Englishmen.

This revival of the power and responsibility of the greater officers, at first sight, would have seemed likely to result in replacing the dependent clerk, the sort of minister that Henry III. had favoured, by baronial officials of the ancient type, in general sympathy with the policy of the magnates, and able, through their own official or hereditary possessions, to hold their own against the monarch. The conditions, however, with which the barons now fenced their demands, made the effect of their policy much less revolutionary than it seemed. Ten years before, Henry had thought to appease the magnates by promising to make his ministers permanent. Now, however, the barons were apparently almost as jealous of each other as of the king, and had no mind to set up powerful and independent officials who might prove stronger than even the kings themselves. Accordingly, they insisted on an annual account from each minister, and clearly contemplated short, if not yearly, periods of office. The result was that the triumphant barons appointed functionaries who differed in character and policy, rather than in official type, from the servants that Henry III. had preferred. The Norman justiciarship, virtually suspended since 1234, was

revived; but there were thenceforth to be "one or two" chief justiciars who were only to hold office for a year, and were answerable at the end of their term to the king, the council, and their successors. Moreover, on October 3, a commission of three judges was empowered to "hold the king's bench at Westminster,"[1] so that there was the less danger of judicial distraction taking away the justiciar from his political functions. However, the yearly term was not strictly enforced, and the dignity of the "justiciar of England," as he was punctiliously styled, was emphasised by a salary of 1000 marks a year, just twice the cost of the chancellor and the whole chancery establishment.[2] Moreover, each of the three barons, who, in less than seven years, held the revived justiciarship, was a man of standing and high family, and only one, Hugh le Despenser, was a strong personal partisan. But not one of them filled the place of their Norman predecessors, and took the real lead. As regents during the king's absence abroad, they approached nearest to the earlier justiciars.

The two clerical offices were still less modified by the revolution. The changes in the exchequer[3] affected the office and its sphere rather than the type of treasurers appointed. Here, too, was an account to be rendered by the treasurer year by year,

[1] *C.P.R., 1247–58*, p. 652.

[2] *Ib., 1258–66*, p. 172. The justiciars of the period were Hugh Bigod (from before June 22, 1258, until after Oct. 25, 1260); Hugh le Despenser (from Oct. 25, 1260, to June 12, 1261); Philip Basset (from June 12, 1261, to July 16, 1263); Hugh le Despenser again (from July 16, 1263, to Aug. 4, 1265). Mr. J. H. Round suggested in the *D.N.B.*, *s.v.* Hugh le Despenser, that Basset and Despenser "acted concurrently for about a year." If this could be substantiated, it was strictly in accordance with the Provisions of Oxford. The chronicler's evidence, however, is clearly against it, and I cannot find in any record proof of such concomitant action, though it is likely that the barons, who resented Henry's stroke against Despenser, strove to maintain him in office. The entry on *C.P.R., 1258–66*, p. 63, relevant to Basset as justiciar, seems a later addition, and therefore no proof of his acting on Nov. 1259. Basset's formal appointment was only on Aug. 13, 1261, *ib.* p. 172. Basset was Despenser's father-in-law, and Despenser's widow later married the son of Hugh Bigod.

[3] The treasurers of the exchequer at this period were: Philip Lovel, who remained in office till Nov. 2, 1258; John Crakehall, archdeacon of Bedford, from Nov. 1258 to Sept. 10, 1260; John of Caux, abbot of Peterborough, from Oct. 1260 to May 1263; Mr. Nicholas of Ely, acting on May 6, 1263, but not after July 19; a vacancy up to Nov. 1, 1263, or beyond, when John Chishull, the chancellor of the exchequer, kept the exchequer open, but became chancellor in December; Henry, prior of St. Radegund's, appointed from Nov. 3, 1264 Mr. Thomas of Wymondham, acting in April 1266.

but a suggestion of compensating dignity perhaps appears in the frequency with which the treasurer of the exchequer is called treasurer of England. The purging of the exchequer staff by the twenty-four soon followed on the subjection of the treasurer to council and barons. The order that "all the issues of the land" should go to the exchequer, secured for the severely controlled office the monopoly of the custody of the royal revenue, and implicitly forbade the growing custom by which the wardrobe clerks received directly some of the king's revenue. After July 1263 the exchequer nearly collapsed. There was no treasurer and no resident baron until November 1263, when a provisional administration was set up under John Chishull, chancellor of the exchequer, and a baron appointed for the purpose.[1] After Lewes a distinctly baronial appointment was made by the nomination of Henry, prior of St. Radegund's, as treasurer.

If the exchequer suffered little change from the baronial triumph, still less was there a revolution in the chancery. The existing chancellor, Henry Wingham, took the oath to the Provisions of Oxford and continued in his post.[2] His successors, whether baronial or royalist in their leanings, were set over an office which remained organised on the lines accepted by Henry before 1258. Baronial chancellors, like Nicholas of Ely and Thomas of Cantilupe, royalist chancellors, like John Chishull and Walter of Merton, alike received the same treatment. Both types alike were granted from the exchequer a "chancellor's fee" of four hundred, and after 1265 five hundred, marks a year for the wages and expenses of themselves and their clerks.[3] This was the chief chancery innovation of the period, and was first instituted in 1260 for the baronial partisan, Nicholas of Ely. It gave to future chancellors a solid reason for acquiescing in the loss of the "issues of the seal," and allowing these to be accounted for in the new way by the keeper of the hanaper. There was no thought of going back to chancellors for life, who farmed the seal, and made what profit they could from it. For the chancery system of the next generation the barons were equally responsible

[1] Madox, ii. 55, from *C.R. 48 Hen. III.* m. 10.

[2] Wingham was dean of St. Martin-le-Grand, a post held almost by hereditary right by wardrobe officers.

[3] Miss L. B. Dibben, in *E.H.R.* xxvii. 48, works out all this in detail. The general conclusions as to the chancery stated in the text are Miss Dibben's.

with the king. A similar policy prescribed that the sheriffs in their turn should only hold office for a year.

It was a harder thing to effect drastic changes in the household than in the great offices of state. The royal household had been the mark for baronial criticism, not so much because it was more hostile to the aristocracy than were the less domestic offices, as because it was the special province of the hated foreigners. Yet even of the aliens no clean sweep was made, though the veteran exponent of alien influence in the household was promptly removed from office. However, when Peter of Rivaux was got rid of by the barons' provision, the reforming zeal of the barons soon waxed cold. No serious attempt was made to reform the royal household in the Provisions of Oxford, whose only clause dealing with the subject simply expressed the pious opinion that the household of the king and queen should be reformed when opportunity arose.[1] We have no evidence that that time ever came, though one annalist, unfriendly to the barons, suggested that they put into the household some of their own men.[2] One of these was certainly that strenuous baronial partisan, Giles of Argentine, who first appears as one of the stewards of the household in the autumn of 1258.[3] No doubt Giles' colleague as steward, Imbert Pugeys, belonged to the same party.[4]

As regards the clerical branch of the household, the changes were few. The men, who had formerly worked with the aliens, remained as wardrobe clerks, and supplied the new officers who quietly stepped into Peter of Rivaux's place. One of the foreigners was still suffered to remain; Aubrey of Fécamp, who had "kept the counter-roll" for the Poitevin Chaceporc and the Provençal Artaud, now became keeper. Instead of acting alone, a curious piece of conservatism made him joint keeper

[1] Stubbs, *Select Charters*, p. 383, ed. Davis, 1913, "A remembrer fet del hostel le rei et la regine amender."

[2] See the passage in Wykes, quoted below, p. 299, note 4.

[3] He is mentioned on Oct. 1 (*C.P.R., 1247–58*, p. 652) and Dec. 26, 1258 (*C. Ch. R., 1257–1300*, p. 16) as holding this office. Other baronial partisans may lurk among the other stewards of the times immediately succeeding, but the history of the household stewardships of this period is complicated, and has not been thoroughly worked out.

[4] Imbert Pugeys [Poges] appears as steward in the chancery rolls from June 1259 to Feb. 1263 at least; *C.P.R., 1258–66*, pp. 28, 203.

with Peter of Winchester, after the fashion of a previous generation, so that the dual action, so noticeable in Chaceporc's declining years, was once more revived. Peter of Winchester, like Aubrey, had been a wardrobe clerk in the old days of foreign control. Now, as *clerici et custodes garderobe regis*, these two were responsible for the wardrobe for rather more than three years from July 8, 1258, to July 25, 1261.[1] Before the end their association was broken by Aubrey's death, whereupon the whole burden of the account fell to Peter of Winchester.[2]

The summer of 1261 saw a serious effort on Henry's part to throw off the baronial yoke. The nominees of the barons were ejected in favour of more complacent officials from all the great offices of state, save only the exchequer, where the insignificant abbot of Peterborough was allowed to remain as treasurer. But Henry replaced Hugh le Despenser as justiciar by Philip Basset. He again employed Peter of Rivaux;[3] he transferred the great seal from Master Nicholas, archdeacon of Ely, to Walter of Merton, a member of his household and a partisan of his policy. The annalist, who records these changes, tells us also that the king "removed from his household all those whom the barons had placed there."[4] Moreover, he transferred the custody of many shires and castles from the men of 1258 to his own friends.[5]

It was doubtless a part of this bolder policy that Master Henry of Ghent was appointed keeper of the wardrobe, a fortnight after Merton's nomination as chancellor.[6] Henry had been a clerk of the wardrobe for the previous few years, and his

[1] The account is *Enr. Accts.* (*W. & H.*), No. 1, m. 1. For the significance of the duplicate account contained in it, m. 2, see chapter on great wardrobe, in a later volume of this work. No counter-roll, or its holder, is mentioned in the account.

[2] This I take to be the significance of the entry in it, *ib.* m. 2, "per breue regis in quo continetur quod thesaurarius et ceteri barones de scaccario allocent Petro de Wintonia, clerico garderobe regis, in compoto suo de eadem garderoba omnes soluciones, liberaciones et paccaciones contentas in rotulis Alberici de Fiscampo, quondam clerici eiusdem garderobe."

[3] See above, p. 283.

[4] Wykes, p. 129, "et deposuit dominum Henricum Dispensatorem de officio justiciarii et fecit dominum Phillippum Basset justiciarium. Et abstulit sigillum de magistro Nicholao de Ely et commisit illud Waltero de Mertone."

[5] *Foedera*, i. 409.

[6] Merton was appointed on July 12; *C.P.R.*, *1258–66*, p. 165. Ghent's account began on July 26; *Pipe*, *53 Hen. III.* No. 113, m. 2. A special account by Henry as keeper of the royal jewels is in *Exch. Accts.* 350/12.

name may suggest a Flemish origin. He may, however, have been a member of the well-known Lincolnshire baronial house of Ghent, whose head, Gilbert, was a supporter of the popular party. Henry certainly fully identified himself with the king's policy and accompanied him in his foreign visits. After Henry went home from France early in October 1263, the keeper remained behind in Paris in company with some of the most thorough-going of extreme royalists.[1] He was, perhaps, above all a time server, for he remained in office for six months after the battle of Lewes, only ending his account on December 31, 1264.[2] Under him Peter of Winchester was contented to be the "clerk who held the counter-roll." This degradation to second place suggests mild reprisals against an official who had yielded too readily to baronial pressure. But Peter of Winchester seems to have been an indispensable person for the wardrobe in these days, and his continuous career in that office between 1255 and 1272, not less than the parallel career of Hugh of the Tower at the great wardrobe from 1236 to 1268,[3] must put us on our guard against any hasty inferences as to the politics of wardrobe officials. Either they were mere clerks who obeyed orders, from whomsoever the orders came, or they were political vicars of Bray of an exceptionally scandalous type. As far as the personnel of the wardrobe was concerned, the barons' wars involved little breach of continuity. The only really revolutionary period was the first half of 1265, and even that was tempered by the abiding presence in the wardrobe of the inevitable Peter of Winchester and the equally inevitable Hugh of the Tower.[4]

[1] *C.P.R., 1258–66*, p. 295. Peter of Savoy and John Mansel received power to pawn the king's jewels in France in Oct. 1263, "by Henry of Ghent's view and testimony." He clearly stayed behind in Paris after the king's return to England. Already in Oct. 1261 (p. 189), and in May 1263 (p. 257), Henry of Ghent was authorised to raise money by pledging the royal jewels, in the latter case to buy cloth for the great wardrobe.

[2] After Evesham, Henry of Ghent was at once admitted to the royal protection by writ of Aug. 14, 1265; *ib.* p. 438.

[3] Peter of Winchester was clerk of the wardrobe under Artaud of Saint-Romain, 1255–7, probably retained this post under Peter of Rivaux, 1257–8, was joint keeper, 1258–61, "held the counter-rolls," 1261–68, in which time John of Winchester was his *locum tenens* from 1261–64, and was sole keeper, 1268–72. For Hugh of the Tower, see later in the chapter on the great wardrobe.

[4] Among the other clerks of the wardrobe of this period were Thomas of Netheravon, mentioned in July 1262, *ib.* p. 221, and Henry of Otinton, mentioned Sept. 1264, *ib.* p. 369.

A study of the wardrobe accounts between 1258 and 1264[1] leaves us with the same impression as to the small amount of change actually wrought in organisation. There was certainly a desire on the part of the barons to limit the sphere of the wardrobe to the control of purely domestic and household affairs. This was the inevitable tendency of the clause in the Provisions of Oxford that "good men should be put in the exchequer," and that to the exchequer should go "all the issues of the land and in no wise elsewhere."[2] This cannot but be a faint sign of constitutional opposition to the recent development of wardrobe independence, and a clear wish of the barons to prevent the treasury of the wardrobe replenishing itself otherwise than through the exchequer.

The baronial policy of retrenchment at court must inevitably have tended to restrict the scale of wardrobe operations. Nevertheless the accounts of these years were not much affected, either by the insistence upon the rights of the exchequer or by the spirit of economical reform. There was a slight downward movement in receipts which testified to an effort towards retrenchment. For the years 1258–1261 the average wardrobe receipt was a few pounds less than £12,000 per annum; in 1261–64 there was a further reduction to an annual average of about £10,600. Neither of these figures, however, suggests a diminished income, as compared with the years immediately preceding the crisis. On the other hand, the fact that about three-fifths of the receipts of the former period and two-thirds of the latter period came directly from the exchequer showed that the provision of 1258 as to issues going to the exchequer was not altogether a dead letter. But the accounts for 1258–61 mention receipts from the ferms of Ospringe and Rochester, from the issues of three shires, from escheats and forests, and from the

[1] They are enrolled on *Exch. Accts.* (*W. & H.*) 1, and *Pipe, 53 Hen. III.* No. 113, m. 2.

[2] *Select Charters*, p. 382. "E bone genz autres seint mis al escheker solun le ordenement les avant dit vint et quatre. E la vengent totes les issues de la tere, et en nule part ailurs." The cancelled mandate of March 5, 1259, in *C.P.R., 1258–66*, p. 13, directing the keeper of the bishopric of Winchester to pay 300 or 400 marks from its issues into the wardrobe, may be an instance of the attempt to limit the wardrobe to this new conception of its functions, but on March 8 "the nobles of the council" allowed payment into the wardrobe for the king's expenses (p. 14).

keepers of various vacant bishoprics and abbeys. Moreover, issues of the seal and the exchanges were paid into the wardrobe, apparently without any one thinking it wrong to do so.

The chancery rolls illustrate a similar tendency to restrict wardrobe receipts from other sources than the exchequer. The patent rolls, for instance, mainly record payments of "fines," "courtesies," and similar personal perquisites of monarchy into this suspected office.[1] But exchequer control was still a reality, for in May 1263 Henry of Ghent could only pledge jewels in his custody by the view of the treasurer, Nicholas of Ely, though the money was wanted to make purchases for the great wardrobe.[2] Upon occasion the treasurer would remove from the wardrobe sums he needed for his disbursements.[3] Yet Henry of Ghent was still called "our treasurer," just as if he were, as in the old days, acting concurrently with the treasurer of the exchequer. He kept the keys, and had the responsibility of the "treasure in the Tower," where there was already a localised wardrobe treasury.[4] During all these years, as we shall see later, the growth of the great wardrobe, which excited no man's suspicion, went on uninterruptedly.[5] There was also a tendency to earmark payments into the wardrobe for the expenses of the household.[6] A little more liberty was shown beyond sea, for the king on his travels was always accompanied by the wardrobe and its officers.

Other evidence also supports the view that the revolution of 1258 did little to upset the recognised machinery already in existence. The inter-relations of wardrobe and chancery, evidenced by the payments of the seal receipts into the wardrobe, seem to have gone on just as usual. This comes out in the history of the seals during these years. Though Hugh le Bigod complained in 1259 that the king kept his great seal in his chamber,[7] there was no serious attempt made to treat the chan-

[1] *C.P.R., 1258–66*, pp. 91, 110, 129, 249, 252, 276, 333, 351, and 352.
[2] *Ib.* p. 257. [3] *Ib.* p. 220.
[4] *Ib.* pp. 218, 253, 337. For the wardrobe in the Tower see later, chap. vii. § iii., and the chapter in a later volume on the "privy wardrobe."
[5] See the chapter on the great wardrobe in a later volume.
[6] For instances see *C.P.R., 1258–66*, pp. 96, 336.
[7] *Flores Hist.* ii. 434, R.S., "sigillumque magnum tempore illo in regis camera retentum."

cellor of this period as less of a court official than the clerks of the wardrobe. In 1260 a chancery writ could still be read before the king and approved by him in his wardrobe in the presence of select magnates, and sealed by their precept with the great seal.[1]

We see the continuance of the traditional policy still more clearly in the sealing arrangements during the king's frequent absences beyond sea. Between 1259 and 1264 Henry was four times on the continent, and on each occasion somewhat different methods were devised for sealing. On three of the four occasions, however, the great seal went abroad with the king, the only exception being during the short visit to France, from September 18 to October 7, 1263, when it remained in England with the chancellor. On one of the three occasions, November 14, 1259, to April 23, 1260, the chancellor Wingham attended the king with the seal. On the two others, July 14, 1262, to January 16, 1263, and January 5 to February 14, 1264, the chancellors, Merton and Chishull, remained in England, and the great seal was kept by various officers of the household abroad.[2] In this also the domestic character of the chancery remains emphasised.

The arrangements for sealing in England also varied. In 1259–60 English writs were sealed by the exchequer seal, kept by Walter of Merton.[3] On the two other occasions a "small seal" was employed in England, which in each case, 1262–3 and 1264, was kept by the chancellors, Merton and Chishull. Both the exchequer seal and the small seal were regarded as officially equivalent to the great seal, and the latter may be considered to be the first special "seal of absence," demonstrably so called, in our history. Accordingly, writs sealed with them were entered on the chancery rolls,[4] though occasionally a special note of

[1] For instance, *Foedera*, i. 402, Vernon Harcourt, *His Grace the Steward*, p. 122.

[2] Some curious irregularities resulted from this. On occasion the great seal was used, like a privy seal, as giving warranty to the chancellor to draw up a writ under the seal of absence, as in *C.P.R., 1258–66*, p. 67, an act of April 15, 1260, "by the justiciar, by the precept of the king, which he had of the great seal." Compare *ib.* p. 228.

[3] *C.P.R., 1258–66*, p. 64.

[4] Instances are in *ib.* pp. 64-67 (1259–60), pp. 237-241 (1262–3), p. 280 (1263), and pp. 305-306 (1264).

warning is appended to indicate the irregular method of their sealing.[1]

Much more important for our purpose was the occasion in September and October 1263 when Henry left the seal behind in England in the custody of the chancellor, Nicholas of Ely, and took with him to the continent a small seal. What was this small seal? It was not on the face of it an equivalent for the chancery seal. It was not, like the small seal taken abroad in 1253–4, demonstrably a new seal instituted *ad hoc*. I sometimes incline to believe that it was no other than the privy seal; the more so as the wardrobe was, as usual, attending the king on his travels. The chief ground for this identification is to be found in the fact that this same seal was used by Henry after his return to England, and that, both abroad and at home, it was employed in a way that strongly reminds one of the use of the privy seal both in earlier and later times. It is true that writs issued under it were enrolled in the patent roll,[2] but this is only an instance of the confusion of the spheres of chancery and wardrobe which is characteristic of the time. Moreover, unlike the writs under the "small seal of absence," these writs were enrolled in special schedules, apart from the general roll, after a fashion that would seem to emphasise their abnormality. Even more noteworthy

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[1] For instance two patents in *C.P.R., 1258–66*, dated July 12, 1262. "And this letter has been sealed with the little seal" (p. 224). "And be it known that this letter was granted before the king's recess, and sealed with the little seal which the justiciar and the chancellor were then using, the king being beyond seas" (p. 226). A further complication to the puzzling problems involved in the irregular methods of sealing during the period of the barons' wars is the fact that in the midst of the struggle Henry caused a new great seal to be made, which was used before June 16, 1260, by Wingham, then chancellor; *C. Ch. R.* ii. 28. (The old seal was used in a charter of Aug. 6, 1259, *ib.* p. 22.) As long as Wingham remained chancellor, he kept both the old and new seals in his possession, but whether they were both used for sealing I cannot ascertain. Can there be some connection between this and the act of July 30, 1260, "sealed in the absence of the chancellor," against which Edward, the king's son, protested; *C.P.R., 1258–65*, p. 85? On Oct. 18, 1260, when Wingham was replaced by Nicholas of Ely, the outgoing chancellor "surrendered the new seal of the king as well as the old one." Then, "by order of the king the old seal was broken," and the parcels given to "some poor person of a religious house." The new seal only was handed to Ely, so that all his acts must have been sealed by it; *ib.* p. 97.

[2] They are found in *C.P.R., 1258–66*, pp. 280-285 and 290-291; the former are between the king's departure from and return to Westminster, the latter are some time after his return to England.

is the fact that a large proportion of these writs were addressed to the chancellor himself, ordering him to prepare writs in England, and were, therefore, more analogous to the "warrants under the privy seal" of earlier and later times than to original writs of chancery.[1]

Even more significant is the fact that, after Henry's return to England, he continued to use this "small seal," notably during the month of October at Windsor. It was a time of acute political crisis. Henry was preparing to repudiate the Provisions and fight the baronage, but was hampered by the great seal being in the hands of a baronial chancellor and employed to further the barons' purposes. Accordingly, we find him at bay at Windsor and still using a "small seal" with which, for instance, he sealed the summonses to the royalist adherents to come to him there "with horses and arms" to levy war against the government. In the same bold spirit he issued under his small seal mandates that went directly against the Provisions of Oxford, such as an order to certain Newcastle burgesses to pay into the wardrobe a portion of the town ferm which they ought to have paid into the exchequer; and another bidding the exchequer itself violate the Provisions by allowing in a sheriff's account the sums which he had paid unconstitutionally into the wardrobe. All these documents were, like the group already referred to, enrolled in a special schedule by the patent roll, and this schedule was endorsed "roll of closes and patents made at Windsor by the lesser seal of the king by view and precept of Hugh le Bigod in the forty-seventh year at the ending."[2]

Even after this roll of the smaller seal stops, similar irregularities still continue, though we have now to discover them for ourselves. For instance, a careful inspection of the normally enrolled patents of the next few weeks suggests that some at least are patents under the small seal. These were often regarded by their recipients as so irregular that they within a few weeks thought it prudent to obtain confirmations of them, sealed after

[1] For instance, *C.P.R., 1258–66*, p. 283, are two mandates to the chancellor to prepare writs for inquisitions. Of course we must not forget that, as we have seen, the great seal itself had been occasionally employed to warrant writs under the seal of absence. See above, note 2, p. 303.

[2] *Ib.* p. 291. The group is on pp. 290-291, and ranges in date from Oct. 17-20. The writ of Sept. 20 must have slipped into the roll by accident.

the usual fashion.[1] There is nothing in the patent roll to suggest that at least two grants of November 1263 were under the smaller seal, yet their confirmation in December under the great seal on the ground that there was a doubt as to their validity forces on us the conviction that the earlier patents must be under the lesser seal. Yet it is the mere accident of the later confirmation that enables us to run them to earth.

These cases do not stand alone. In January and February 1264 Henry III. was again in France, waiting for the arbitration of St. Louis at Amiens. On this occasion he took the great seal with him, but left behind in England John Chishull, the chancellor, who during the king's absence sealed with a "small seal," which was of course a "seal of absence." The patent roll gives us[2] a list of patents sealed abroad during these weeks, and we should naturally infer that they were under the great seal. Among them is a rather ordinary license for life to Walter of Merton, "member of the king's household, sometime chancellor," to take, when passing through a royal forest, one or two of the king's deer. This is dated January 12, 1264, at Amiens.[3] There is no suggestion that it differs from other patents of the group. Nevertheless, eight years afterwards, we find Walter of Merton thinking it desirable to get the grant renewed as a charter "in form of letters patent under the seal now in use," and from the terms of this "charter" we learn that the grant of 1264 was a

[1] The evidence for this is (1) *C.P.R., 1258–66*, p. 301, Windsor, Dec. 12, a mandate under the great seal to certain tenants of Peter of Savoy to be intendant to Guichard de Charron, "to whom the king by letters patent under the smaller seal" committed the said lands. "As certain persons assert that the said letters are surreptitious, because they were sealed under the smaller seal," the king issued the present letters under the great seal. On *ib.* p. 297 is the commitment, "by the council" to Guichard of the lands of Peter of Savoy, apparently dated Nov. 6, Oxford. (2) *Ib.* p. 302, at Windsor, Dec. 17, a grant to William of Valence, under conditions, of some lands, lately held by Stephen de Cressy, in the king's hands. "This grant was made under the smaller seal which the king then used, and is now confirmed under the greater seal." In *ib.* p. 399 is an identical grant, dated Nov. 21, at Reading. It is very unlikely that the later grant in each case would have been issued, if a regular patent had already passed the seal. We are, therefore, almost forced to the conclusion that the grants of Nov. 6 and Nov. 21 were the grants under the smaller seal, confirmed by the patents of Dec. 12 and 17.

[2] *C.P.R., 1258-66*, pp. 376-384.

[3] *Ib.* p. 377.

"letter patent" under the king's small seal.[1] Here we have two "small seals" used at once, one by Chishull in England, and the other by the king in France, though Henry had also his great seal with him. It is hard to believe that, having the great seal, the king would also take with him a special small seal to be used abroad, as formerly he had done in Gascony. What, then, can this second small seal, used at Amiens, be? Is it not almost absolutely certain that it must be the privy seal? Combining these facts with what has been said about the sealings of the small seal during and after the king's previous absence abroad, we have almost demonstrable evidence that a fair proportion of small seal patents are enrolled in the patent rolls, some of which are, in reality, letters of privy seal.

In his use of this small seal, which was probably the privy seal, between October 1263 and January 1264, one is almost forced to conclude that Henry was consciously setting up the privy seal, which he controlled, against the great seal, which had escaped from his hands, or, in other phrase, setting up the submissive clerks of the wardrobe against the baronial partisans who manned the chancery and the exchequer. When the chancery and the great seal were withdrawn from Henry's control, he would have solid reasons for abandoning his habitual attitude of regarding national and household officers as equivalent. The policy of the Provisions of Oxford may, therefore, have led Henry for a time to anticipate what we shall see afterwards was the deliberate policy of Edward II. There was no occasion, however, for Henry to go on long with this policy. Before he left England for Amiens, he had dismissed Nicholas of Ely and had found a chancellor nearer his own heart in the royalist Chishull, a man trained in the wardrobe of the Poitevin period. Accordingly there are no regular "patents under the small seal" after November 1263, for Chishull was chancellor in December. The isolated act of small seal of January 1264 was due to the accident of the king wishing to confer a favour on Merton, who, we may imagine, was, as usual, acting as temporary keeper of the great seal abroad, since the chancellor was in England, and it was

[1] *C. Ch. R.* ii. 183. A memorandum in the patent roll of Jan. 1264, dated at Boulogne, *C.P.R., 1258–66*, p. 384, is a promise to renew certain charters "according to the tenor of the rolls of the chancery."

thought more correct that a grant to the bearer of the great seal should be authenticated by some other instrument.

Two further reflections arise from this suggestion. One is that we have more evidence of the use of the smaller seal, which was, perhaps, the privy seal, than a cursory examination of the chancery rolls would lead us to expect. The other, that there is danger in applying the categories of earlier or later generations to this revolutionary period. It is the latter reflection which may well make us pause in advancing the hypothetical identification of this small seal with the privy seal during the years of tumult. We may here also note that, during these years, certain payments recorded in the wardrobe accounts are marked as "pro anulo regis acquietando," or "pro anulo regis."[1] Is this royal ring something of the same sort as the royal signet of the fourteenth century?

Henry III. was far stronger in 1263 than in 1258, and the Mise of Amiens still further improved his position, though it involved him once more in open warfare. During the fighting in the first half of 1264, John of Chishull remained chancellor, so that the king's mandates took the regular shape of writs of great seal. Chishull was a moderate or temporising man. Already by the eve of Lewes he must have weakened in his royalism, for on May 14 letters, acquitting St. Louis of the whole sum he had promised his brother-in-law to equip five hundred knights for the projected crusade, were issued without reference to chancellor or chancery clerks, being composed and written by master Arnulf, chancellor of the king of the Romans.[2] Irregularity could go no further than to enrol a document, drafted by the chancery of a foreign power, upon the patent roll of an English monarch. Even

[1] For example, *Enr. Accts. W. & H.* m. 1 (A. of Fécamp's account, 1258–1261), "et in oblacionibus regis et in oblacionibus debitis capellanis de capella, pro anulo regis acquietando, £367 : 10 : 2." Compare *Pipe, 55 Hen. III.* No. 115, m. 1 (Lewknor's account, 1265–68), where the whole entry under the title alms, amounting to £300 : 9 : 7, is similarly "pro anulo."

[2] *C.P.R., 1258–66*, p. 317. The act was issued with a curious regard to the letter of the Provisions of Oxford, being, "by the king, the king of Almaine, Edward, the king's son, Henry, son of the king of Almaine, and Roger de Leybourne and others of the king's council." To it was appended this note. "And be it known that master Arnulf, chancellor of the king of Almaine, composed and wrote with his own hands the above letter, without the council and assent of any clerk of the chancery, and it was sealed before the king's council at Lewes on the day aforesaid." The "dictated" of the calendar I have corrected to "composed."

the "domestic" chancery clerks of Henry III. revolted against such a breach of official propriety.

Chishull remained chancellor for nearly six months after the baronial triumph at Lewes. It was only when the absolute ascendancy of Simon of Montfort was secured over the conservative elements in the baronial council that he was removed. A few weeks later, Henry of Ghent was ejected from the custody of the wardrobe, so that the revolutionary spirit asserted itself at last over chancery and wardrobe alike. Master Thomas of Cantilupe, the Oxford scholar, the nephew of bishop Walter of Worcester, became, on February 22, 1265, chancellor in the Montfortian interest.[1] Henry of Ghent's successor at the wardrobe was Ralph of Sandwich, a layman and a knight. The setting up of a soldier over the most clerical department of the household was an innovation never repeated, until anti-clericalism became a principle of policy in the latter part of the fourteenth century. This glaring innovation, however, excited no criticism among the chroniclers, ignorant or incurious of administrative routine. Moreover, it would be premature to assume that the ill-will of the church to him had led Montfort into the slightest anticipation of anti-clerical policy. Perhaps, it was thought, a knightly keeper could exercise a sterner control than a clerk over a king who was practically a captive.

The short keepership of Ralph of Sandwich witnessed a severe restriction of wardrobe functions. For the seven months and six days, January 1 to August 6, 1265, for which Sandwich accounted, only £2554 : 0 : 10 was paid into the wardrobe, an income at the rate of about £4500 a year, or less than half of that for the previous few years.[2] Of this sum more than half came

[1] *C.P.R., 1258–66*, p. 410. On March 26 Thomas received the chancellor's fee, now raised from 400 to 500 marks a year. "The king with his own hand folded this writ and caused it to be sealed." This seems a delicate way of suggesting that the chancellor did not himself raise his own salary!

[2] Sandwich's account is in *Pipe, 54 Hen. III.* No. 114, m. 19, and in *Exch. Accts.* 349/28. The latter is the first wardrobe account surviving otherwise than as an exchequer enrolment. It is, however, only a meagre statement of receipts, and is not, like many of the later exchequer accounts, much fuller than the corresponding enrolments. Some interesting details, however, come from *ib.* 349/30, "rotuli austucorum et venatorum; rotulus oblacionum regis, anno xlix°. See for this later, note 1, p. 312. The first extant "rotulus hospicii" is for 44 Hen. III., Oct. 28, 1259–Oct. 27, 1260. It is in *ib.* 349/27, and accounts for an expense of £7499 : 8 : 5; including the period of Henry's visit to Paris.

from the exchequer. The non-exchequer income probably represented the irreducible minimum from sources of revenue which the age regarded as legitimately appertaining to the king's personal expenses. About two-thirds of the whole was devoted to strictly household disbursements, which were naturally on a small scale when the king was under restraint.

Ralph of Sandwich was not the only baronial partisan forced by Montfort into the king's immediate household. Two new stewards of the household were found in zealous Montfortians who had already fought and suffered for the cause. Adam of Newmarket, a Lincolnshire knight, had represented the barons at Amiens and had been captured by Edward at Northampton in April 1264.[1] Walter of Creping, an Essex knight, had also deserted the king in 1263, and had shared in the Northampton disaster.[2] They exercised the severest surveillance over him, and kept less energetic partisans up to the mark.[3] It is well known that earl Simon strongly stressed his hereditary position as steward of England, and it would be interesting to know whether he regarded these working stewards as his deputies or as the servants of the king. There is no evidence either way, but it would be like his masterful character to adopt the former course. If so, there may have been a precedent for the claim which Simon's successor as steward, earl Thomas of Lancaster, put forward, over fifty years later, that the steward of England had the right to nominate the steward of the king's household.[4]

In compensation for the subjection of the captive king to hostile laymen, some continuity was kept up among the clerks of the wardrobe by Peter of Winchester remaining clerk and holder of the counter-roll, and by Hugh of the Tower remaining a buyer of the great wardrobe. Another old tradition was kept up, for when Thomas of Cantilupe, the chancellor, "left the court," the great seal was, on May 7, at Gloucester, entrusted to the keeper of the wardrobe. This was not the mere deposit of the seal for safe keeping, for it was provided that, though

[1] Wykes, p. 139, *Worc. An.* p. 450; *C.P.R., 1258–66*, p. 314.

[2] *Worc. An.* p. 450. Creping is a manor in Wake's Colne, Essex, which Walter held.

[3] See for an instance, later, p. 311, note 2.

[4] See later, Chap. viii. § iii.

nominally the seal was shut up under the seals of three baronial councillors, these seals could be broken, and that "the said Ralph shall seal writs that are of course in the presence of the sealer or in his absence, . . . but writs which are of the king's order, he shall seal only in the presence of the sealer and with his assent.[1] Thus Sandwich, like John of Lexinton, anticipated the lay keepers of the seal of the succeeding century.

We do not know whether Thomas the chancellor ever went back to court during the three months that were still to elapse before the battle of Evesham broke up the baronial party and drove him into retirement. We do know that Sandwich held the seal long enough for the chronicler most unfavourable to the baronial cause to see reason to expatiate on the unprecedented character of a lay keepership.[2] Had he known more of the workings of the administration, he might have enlarged with even greater force on the even more unheard of innovation of a layman and a knight ruling the purely clerical staff of the king's wardrobe. The probabilities are that Sandwich, who followed the last wanderings of earl Simon and the captive king, retained until the battle of Evesham the custody of the

[1] *C.P.R., 1258–66*, p. 423. The "sealer" seems to mean the person who had sealed up the seal in a bag when it was not in use, and whose consent was necessary before the bag was reopened. The three "sealers" were Peter of Montfort, Roger of St. John and Giles of Argentine, all laymen. See next note.

[2] Wykes, p. 168, "sigillum regium . . . quod duobus laicis deportandum comiserat, videlicet domino Petro de Monteforti et domino Radulfo de Sandwych, militibus, quod a seculo fuerat inauditum." Wykes is not precise, either as to the joint custody or the want of precedent. What really happened was that Sandwich kept the seal, but was only to use it, save for "writs of course," in the presence and with the assent of Peter of Montfort, Roger of St. John and Giles of Argentine, or one of them; *C.P.R., 1258–66*, p. 423. Probably Montfort was the ordinary "one of them" who acted, so that Wykes was not very far wrong in substance. His story ignores the chancellor altogether. Moreover, as early as March 7, Thomas was getting out of touch with the more extreme Montfortians; see *ib.* pp. 481-482, a letter "by the justiciar, P. of Montfort, Adam of Newmarket and Giles of Argentine; nevertheless master Thomas of Cantilupe, the chancellor, did not consent to this letter." Is it a possible surmise that Thomas's withdrawal from court shows that he was weakening in his support of the revolutionary government? His absence from court during the last rebel campaign may account for the ease with which he received a safe conduct on Aug. 22, and was "re-admitted to the king's grace" as early as Feb. 10, 1266; and was the "king's special clerk" in 1268; *ib., 1266–72*, p. 300. Thomas spent the period after Evesham studying and teaching theology at Paris, but was restored to Oxford not later than 1272. See my life of him in *D.N.B.*

great seal as well as the keepership of the wardrobe.[1] No wonder that after Evesham the king protested later that earl Simon had used the king's seal at his will.[2] It is interesting that in this prolonged union of wardrobe and chancery under Ralph of Sandwich, the Montfortians were exactly reproducing one of the most doubtful features of Henry III.'s policy. They were, like the king himself, quite unable to distinguish an office of state from an office of the household. No wonder, then, that they took no steps to further the process by which the chancery was beginning to go out of court. Less wonder still that they had no influence on the development of the wardrobe.

[1] This is shown from *Exch. Accts.* 349/30, "rotulus oblacionum regis." Details of the places where Henry stayed and made offerings are given up to Sunday, June 28, when he was at Monmouth. After that, there is only a list of places up to Worcester, where the king spent the two days following the battle of Evesham. *Ib.* 350/4 shows that the buyers of the great wardrobe, Robert of Linton and Hugh of the Tower, remained behind in London.

[2] *C.P.R., 1258–66*, p. 436.

SECTION VII

The Wardrobe and Privy Seal under the Restoration, 1265–1272

The battle of Evesham was fought on August 4, 1265. Though it did not terminate the civil struggle, it immediately secured the transference of all administrative control to the triumphant royalists. Every office of state and household remained obedient to the king's wishes until his death on November 16, 1272. But the royalist reaction had even less influence than the baronial revolution in deflecting the normal current of administrative operations. It need not therefore detain us long.

One permanent result of the royal triumph was the disappearance for all time of the office of justiciar of England. With this, however, radical changes cease. The chancery, now once more in safe hands, went on as before: and the royalist chancellors to the end of the reign remained in possession of the chancellor's fee which had been devised by the baronage. If any special feature of administration can be discerned in these years, it was perhaps in the continued emphasis of the household character of the chancery. Thus the chancery rolls constantly describe the chancellor as "of the king's household" or the "king's domestic clerk."[1] Similar phrases are even used to describe the treasurers of the period, though the exchequer for most practical purposes had long gone "out of court."[2] Though such descriptions can also be found in earlier times, especially before 1258, they still stand in contrast to the "chancellors of

[1] For instance, *C.P.R., 1266–72*, p. 238, Godfrey Giffard, the chancellor, is in June, 1268, praised for his service from boyhood in the king's household. Chishull, is in Feb. 1269 described as "the king's domestic clerk, dean of St. Paul's, London, the chancellor"; *ib.* p. 318. Cf. pp. 314 and 327. Richard of Middleton, again, is on July 19, 1270, called "the king's household clerk and chancellor"; *ib.* p. 444. In the period 1258–1265 Walter of Merton is called on Dec. 1261, "king's clerk and chancellor"; *ib., 1258–66*, p. 194.

[2] *Ib., 1266–72*, p. 406, tells that on Feb. 6, 1270, the king committed to Mr. John Chishull, "clerk of the household and dean of St. Paul's London," the treasurership to keep during pleasure. On Feb. 20, 1270, Chishull, being treasurer, is still spoken of as the "king's household clerk"; *ib.* p. 411.

England" and the "treasurers of England," as the baronially controlled officials delighted to describe the heads of their departments. It is clearly in vain to attempt to draw any line between domestic and public administration when such ideas prevailed. Under such conditions the wardrobe was not more of a household office than the chancery.

Personal changes in administration inevitably followed the rout of the baronage. We need not concern ourselves with those which gave chancery and exchequer into new custody, but the altered personnel of the wardrobe must claim our attention. Ralph of Sandwich was compelled to terminate his account on August 6, the second day after the battle. His double offence as the virtual gaoler of the king, and as the keeper of the great seal in times when "it was used, not by the king but by the earl of Leicester, at his will,"[1] could not be forgiven. Of the Montfortian stewards of the household Adam of Newmarket had been taken prisoner at Kenilworth on the eve of Evesham fight, and Walter of Creping had perished with his leader in the great battle itself.[2] Apart from these, the only victim on the wardrobe staff was the London citizen, Robert of Linton, buyer of the great wardrobe.[3] All these dispossessed officers were laymen, and if a new lay buyer were found in the reinstated royalist citizen, Richard of Ewell,[3] the wardrobe administration was otherwise restored to clerical hands.

The lay stewards for the rest of the reign were good royalists, but not of much personal importance.[4] But the clerks who now resumed control were the men who had served under the baronial rule. The new keeper was the royal clerk, Nicholas of Lewknor, whose accounts range from August 7, 1265, to March 3, 1268. Peter of Winchester, as indispensable as ever, continued to keep

[1] *C.P.R., 1258–66*, p. 436.

[2] For Creping's death see Blaauw's *Barons' War*, p. 279. Newmarket was taken prisoner at Kenilworth on Aug. 1, *ib.* p. 269. Both lost their lands; *C. Ing. Misc.* i. 207, 259 and 285. Newmarket was admitted to the king's peace in Dec. 1267; *C.P.R. 1266–72*, p. 272.

[3] See for these in a later volume, in the chapter on the great wardrobe.

[4] The first was Roger of Leybourne (*ib., 1258–66*, p. 524) in 1265. Afterwards came William of Wintershill (*ib., 1266–72*, pp. 326, 475, 490) and William d'Aeth (*ib.* pp. 317, 326, 437, 484) about 1269–1270, William Charles (*ib.* p. 493) and Stephen of Edworth (*ib.* p. 570) in 1270, and Roger of Waltham or Wauton in 1272 (*ib.* p. 642).

the counter roll.[1] It is a testimony to the moderation of the conquerors that the yearly average of Lewknor's receipt was not more than £11,000, the same sum as in the greater part of the period of baronial control. It was a greater testimony to the desire of the victors to keep the Provisions of Oxford, that of this moderate sum more than 90 per cent came directly from the exchequer.

Lewknor died in office and his account was rendered by his executors. Peter of Winchester, who had kept the counter-roll since 1261, now went back to his still earlier position as keeper, but this time with sole responsibility. He remained in office until after Henry III.'s death, rendering his accounts from March 4, 1268, to the day of Henry's burial, November 20, 1272,[2] the feast of St. Edmund the king, which was also regarded as the starting-point of the reign of the new king. His counter-roll was kept by Giles of Oudenarde, a Fleming, we may suspect, from his name, who had been acting as a wardrobe clerk under Henry of Ghent, Ralph of Sandwich, and Lewknor, and was one of the latter's executors.[3] The yearly average of the receipt during this long account shows a still further decline, reaching roughly about £8000. It is characteristic of this period that the expenses exceeded the receipt, but the proportion in this account was not appreciably greater than it had been in all accounts of the previous seventeen years.

In such a period of stagnation as we are now traversing, it would be most unlikely to discover any new departures in administrative history. The feature of these years is, on the contrary, the persistence in which ancient ways were followed. The result was that there was some extension of wardrobe activity, now that the king was free to dispose of all administrative departments as he would. There is, accordingly, a good deal of evidence of close co-operation between the wardrobe, the chancery and especially the exchequer. There was no longer any hesitation to pay revenue into the wardrobe. Both

[1] Lewknor's accounts are in *Pipe, 55 Hen. III.* No. 115, m. 1. Peter of Winchester again "kept the counter roll" by deputies, on this occasion Roger of Letford and Henry of Sadington.

[2] The account is in *Pipe, 56 Hen. III.* No. 116, m. 1, and terminates "ad festum sancti Edmundi . . . antequam idem dominus rex sepelitur."

[3] *Pipe, 53 Hen. III.* No. 113, m. 2; *ib. 54 Hen. III.* No. 114, m. 19.

exchequer and wardrobe could now help each other on occasion. Thus when the council prohibited payments of fees from the exchequer, the king's "special grace" provided that the wages of the two stewards and other chief officers "constantly attendant at the king's side," should be taken out of the king's wardrobe.[1] On the other hand, the exchequer could assist the wardrobe by large advances to the buyers for the purchase of cloth at fairs. But the care of the exchequer for its interests was such that the king thought it wise to appease it by a promise that "the whole money which can be collected by any bailiffs be paid wholly into the exchequer" until the office was recompensed.[2] Even the chancery, for all its absorption in the household, could have its susceptibilities. There is more than a suggestion of bureaucratic disaffection in the note appended to a suspicious regrant of a forfeited manor,—"Be it known that the above letter emanated by the precept of the king, the king's son and the whole council, the chancellor and the clerks of the chancery protesting."[3] Even a muzzled chancery might snarl. The more reason then for the king to put his chief confidence in the clerks of his wardrobe.

The king remained in constant lack of money.[4] If there was no other reason, the poverty and needs of the crown afforded plausible pretexts why it was still necessary to have taxes paid into the office which had most immediate need of them. It is perhaps symptomatic that much of the hanaper receipts did not make their way to the wardrobe, being largely disbursed by the keeper, by royal order, in various sums for various objects, notably for the king's works.[5] On the other hand, the proceeds of the crusading tenth, granted by the pope to the king, were regularly paid into that office. For similar motives, perhaps, one of the chief wardrobe clerks, Peter of Winchester, was appointed auditor of the collectors of that impost,[6] and Giles of Oudenarde, another wardrobe officer, was one of the receivers of the collected funds.

[1] *C.P.R., 1266–72*, p. 326 (1269).

[2] *Ib.* p. 300 (1268).

[3] *Ib.* p. 66 (1267).

[4] *Ib.* p. 297, order to pay a sum into the wardrobe "as the king is very much in want of money."

[5] *Ib.* pp. 36, 319, 403.

[6] *Ib.* pp. 327, 354, 356, 439. The payment of tenths into the wardrobe is recorded in scores of entries on the patent roll.

As the king grew older, the administration became more lethargic. The chief interest of its feeble operations in these later years is that they testify to the continued existence of the traditional routine which had established itself securely despite revolutions and counter revolutions. It was soon to be vivified by the accession of Edward I.

END OF VOL. I.

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